



THE
AMERICAN MUSEUM,
OR, UNIVERSAL MAGAZINE,

For DECEMBER, 1790.

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TO CORRESPONDENTS.

IF the writer of the reply to the remarks of Columbianus will allow us to soften a little of the asperity of his essay, it shall appear in our next number.

Thoughts on the establishment of academies in Pennsylvania, by Regulus, are under consideration.

A. B. is informed that the whole of the constitutions of the united states will be completed in the ninth volume of the museum, which will be concluded in June next.

T. C.'s poetry is too incorrect for publication.

I have seen and I have not seen, by gov. Livingston, shall appear in our next,

Days.
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RESULT.

Obs

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Meteorological observations made at Philadelphia, November, 1790.

Days.	Barometer. Phosphoric English foot.				Thermom. Farenheit.		Anemo- meter. Prevailing wind.	Weather.
	In. $\frac{1}{12}$ $\frac{1}{16}$	In. $\frac{1}{12}$ $\frac{1}{16}$	In. $\frac{1}{12}$ $\frac{1}{16}$	In. $\frac{1}{12}$ $\frac{1}{16}$	D $\frac{1}{16}$	D $\frac{1}{16}$		
1	30	2	9	30	0	11	WNW.NW	foggy, rain in even.
2	30	0	3	30	0	3	WNW.NW	foggy, fair,
3	29	11	5	29	8	10	NE.ESE	cloudy, rain, thund.
4	29	8	3	29	8	7	W.WNW	cloudy, overcast,
5	29	10	15	29	11	4	W	fair,
6	30	0	3	29	11	3	WSW.W	fair, sun eclipsed,
7	29	8	8	29	8	7	W.WNW	cloudy, overcast,
8	29	11	11	29	11	2	W.WSW	cloudy, overcast,
9	30	1	11	30	1	9	WNW.NW	fair,
10	30	1	6	29	11	7	WSW	fair, cloudy, rain,
11	30	4	8	30	4	0	WNW.N	fair,
12	30	3	2	30	11		NNW.SW	fair, cloudy,
13	30	2	2	30	1	9	WNW	foggy, cloudy.
14	29	11	9	29	9	9	NE	rain,
15	29	11	7	29	11	10	SW	foggy, fair,
16	29	11	5	29	10	12	NE	rain,
17	29	11	4	29	11	3	NE.N	rain,
18	30	0	4	29	11	8	NNE.N	foggy,
19	29	11	2	29	11	10	NW	cloudy,
20	30	2	1	30	1	15	NW	fair,
21	30	2	6	30	1	9	NW	fair, cloudy,
22	30	2	2	30	0	10	W.NW	cloudy
23	29	8	11	29	8	12	W	cloudy, fair,
24	29	11	3	29	10	15	WSW.W	cloudy, rain,
25	30	1	7	30	1	9	NW	fair,
26	30	2	13	30	3	3	NE	snow,
27	29	10	13	29	10	4	NE	snow, cloudy,
28	30	1	2	30	2	0	WNW	fair, cloudy,
29	30	2	13	30	3	4	WNW	hazy, cloudy,
30	30	4	14	30	4	11	WWN.NW	fair.

RESULT.	Barometer.		Thermometer.		Wind.	
	30th great. elevat.	30 4 14	2d greatest deg. heat	63 5	WNW.NW.	
	4th least elevat.	29 8 3	26th least deg. heat	27 5	W. and NE	
	Variation,	8 11	Variation,	36 8	cloudy, fair,	
	Mean elevation,	30 0 5	Temperature,	43 7	and rainy.	

*Observations on the weather and dis-
cases for November, 1790.*

NANY day in this month were
pleasant and very agreeable.

The chief part of the weather, howe-
ver, was cold, changeable, and wet,
with very variable winds, especially in
the beginning of the month.

On the evening of the third, there were some considerable peals of thunder, attended with lightning. On the twenty-sixth, snow fell for the first time this month.

The cold weather began earlier this year in this city than for some years past. The departure of the wild beasts from the colder parts of our country, which they naturally inhabit, and their approach to the more moderate, is generally observed to be followed by a severe winter. Bears have been already taken in parts of this state, which are never visited by those animals, unless when they are driven thither by hunger, caused by the severity of the weather in the back parts: and several deer, of the real Canadian kind, were killed in Northampton county in the course of the last fall. These, with other circumstances that have occurred, having been frequently remarked to precede a cold season, render the probable severity of the present winter little doubtful.

The variable weather during this month, occasioned most of the diseases that prevailed, to be of an inflammatory nature. Pleurifies, pneumonies, and other affections, of a similar kind, were the chief diseases experienced. The cure was seldom difficult, where timely application was made: but if suffered to continue without any attempts being made for relief, they often proved fatal. A robust man died within a week of the commencement of his disease.

Although the relation of particular and complicated cases, is not within the strict plan of these observations, yet as the following remarks may be of some service, it is thought proper to insert them.

The utility of gum guaiacum in the chronic rheumatism, and other diseases, where warm, stimulating medicines are

required, has been long known. The volatile tincture of that gum has lately proved successful in a case, where a variety of other medicines had been used to no effect. About eighteen months ago, a person by lifting a heavy weight in a confined place, was seized with a pain in the part usually called the small of the back, which continued for some time so violent, as often to prevent the least exertion of the body. Rising from a chair, or in the morning from bed, except in the most gradual manner, caused the greatest distress. From a supposition, that the affliction depended upon a debility of the part, several topical applications, as well as tonic medicines, were tried—frictions, liniments, cold bath, &c. to no purpose. Upon taking the tincture for a few days, an evident change for the better was perceived: and by a due continuance of the medicine, every symptom of the complaint disappeared.

The extensive application of the Peruvian bark, and the success that attends a proper exhibition of that valuable medicine, justly entitle it to the character it has obtained, of being one of the most important articles in the materia medica. Its efficacy, when given internally, in producing good pus, from ulcers that are accompanied with a general bad habit of body, by invigorating the whole system, is universally acknowledged.

The most obvious advantage was also lately derived from its external application, in two cases of incipient mortification. The parts, previous to the use of the bark, were so offensive, that it was scarcely possible to bear the smell. In a few hours, however, after the sores were wrapped up in that medicine, they assumed a healthy appearance—no offensive smell was perceptible;—and both cases are now in a fair way of recovery.

A sketch of the nature and causes of diseases explained upon scientific principles.

NUMBER III.

Of nausea or sickness.

BY the word nausea, or sickness, we are to understand a dislike or loathing of those things, which in time of perfect health are grateful to the palate and stomach.

Nausea and sickness are always owing to some disturbance or disorder in the muscular fibres of the stomach. And this disturbance or disorder may be produced by whatever has the power of giving an ungrateful or irregular stimulus to the fibres of the upper orifice of the stomach, or by whatever has the power of inverting its peristaltic motion.

Sickness will infallibly ensue from the retention of any thing putrid or rancid in the stomach, or from the accumulation of acrid or corrupt bile in the flexure of the duodenum, which is a circumstance frequently attendant on remitting fevers and choleras. It is also frequently the effect of sympathetic affection; as a blow upon the head, the mechanical irritation of the fingers in the fauces, a stone in the neck of the bladder, &c. &c.—But it is more generally owing to a diminution of nervous energy, than to any other cause: this is particularly the case at the commencement of all febrile diseases, which are preceded by a sense of cold and shivering.

In cases of great debility, the sensibility of the stomach is in general preternaturally acute.—In such circumstances, any unusual quantity or quality of aliment frequently occasions nausea and even vomiting; because it stimulates or distends the weakened fibres of the stomach too much for them to sustain without pain and spasm while in that condition.

Emetic medicines operate by an ungrateful irritation, whereby the peristaltic motion of the stomach is inverted.

All diseases, in which the vis vitæ is deficient, are attended with loss of appetite and nausea, and for the most part

with a constant propensity to vomit: but vomiting or nausea rarely takes place in any inflammatory disease, except during the chilly fit which precedes it.

Of thirst.

Distressing thirst is the fourth species of simple morbid affection formerly enumerated. This, like all the rest, must be joined to some other symptom, before it can be considered as part of a disease. Those which most commonly accompany it, are excessive cold or excessive heat, and some other symptoms common to fevers. The proximate or immediate cause of this symptom, is a stoppage of the pores, which in a healthy state supply lymph and mucus, to lubricate and soften the tongue, mouth, fauces, and œsophagus. This stoppage may be occasioned by two opposite causes;—excessive, or defective circulation. For when the capillary and exhaling vessels are preternaturally distended by the quantity and force of the circulating fluids, or are not distended at all by them, the effect will be the same with respect to thirst: but its removal will require very different remedies; in the former case evacuates and sedatives—in the latter stimulants and nutritives.

Distressing thirst always accompanies the cold fit of an ague, and is then owing to defective circulation: it also accompanies the hot fit, and is then owing to preternatural distention.

Of pain.

It is observable, that when the living fibres of animals are put in a state of unusual tension, whether it be from a too great distention of the vessels or from any other cause, then they become susceptible of the highest degree of pain; hence it is, that many parts of the body, which in a natural and healthy state, have but little sensibility, suffer high degrees of pain, when the vessels are affected by an inflammation, and are over distended by a congestion of blood; and hence it is also, that in those parts of the body, where the blood vessels and nervous filaments run

along, or mix with the substance of bones, cartilages, ligaments, tendons, or thick membranes, there are always found the most severe degrees of pain; because the living fibres, in these parts, are liable to greater degrees of tension, than they are in the more fleshy and glandular parts, where they are loosely connected by the yielding plates and fibres of the cellular membrane.

It is unnecessary to distinguish the several kinds of pain: but it is of some consequence to enquire into the immediate cause of this symptom, which is so general, and at the same time so distressing: for there are many diseases wherein it is never absent, and whose distinguishing character it forms. Some pathologists have imagined, that it always depends upon an overstraining of the nervous filaments; others, that these are curled up or crisped, in the manner that the fleshy fibres of animals are observed to curl up, when any thing pointed, sharp, or acrid is applied to them: but the experiments of the late baron Haller, and of the present Monro, demonstrate that the nerves have not this power of contracting or crisping up, when they are touched with a sharp-pointed instrument, or with substances of an acrid nature.

The nerves are undoubtedly the instruments through which the mind perceives pain; and yet the nervous chords themselves do not apparently show the least disorder when touched by any of the things just now mentioned. The other hypothesis, which supposes pain to arise from a distraction of the nervous filaments, however plausible it may seem, has been proved to be false, by observing the effects produced by a ligature upon a nervous chord, whereby the animal is deprived of the capacity of feeling pain, when the parts to which the branches of that chord are distributed, are cut or lacerated below such ligature—hence we must infer that pain is not to be ascribed to any distraction, tension or crisping up of the solid filaments, but may conjecture (for it admits not of certainty) that it depends upon some change in

the state of a fluid contained in the nervous medulla.

As it is impossible to describe or determine the peculiar mode of receiving and transmitting, through the medium of the nerves, the ordinary impressions of external objects, or how nerves, apparently of the same structure and nature, convey such different sensations—how or why the sound of musical instruments should affect the auditory nerves, and convey delight to the mind, while it makes no impression upon the optic nerves nor upon any other of the senses; or why the effluvia of a rose affects the olfactory nerves, and has no effect upon those of any other part of the body; so it is equally difficult to find out those changes in the state of the nervous system, which give rise to the sense of pain.

The fluid of the nerves may be, for aught we know to the contrary, part of a common principle, which pervades all nature, particularly modified in animal bodies. We know, that an elastic principle of infinite subtilty, when it meets with glass, resin, and some other substances, and is put in motion in a particular manner, produces all the phenomena of electricity, and that the same principle, when united with iron, is the cause of magnetism. Why then may not the same principle, modified in the brain and nerves, become the agent of their powers?

(To be continued.)

A cursory view of the advantages resulting from the science of geography; being the substance of an oration pronounced by David S. Egart, in New York, August 5, 1790.

THE science of geography has been the subject of frequent commendation, and has afforded ample scope for the pen of the declaiming panegyrist. And indeed when we advert to its utility, it seems to be worthy of the most exalted eulogium. It is a description of the terrestrial globe, or this earth, and treats of the various countries and seas on its surface. The globe is only

a part of the visible creation, and therefore geography is only a part of cosmography. It has been cultivated since the most remote antiquity, and has received a great variety of improvements. And I may venture to pronounce, that it is at this day, among the most useful sciences, which employ the study of the human mind.

The dependence, which the knowledge of history has on that of geography, at once presents it in the most important and engaging light. There are found few scholars who have not a taste for history. The reading of history highly gratifies the natural propensity of the mind to be delighted with novelty and a constant succession of new objects and scenes. But it is of little advantage, to read the histories of countries without a geographical acquaintance with those countries in which the events and facts have existed. "The general idea of history," says an author of the highest reputation, "is a record of truth for the instruction of mankind." Its importance must be obvious to every rational enquirer. It is a striking picture of human nature, in which are portrayed its virtues and its vices; and in this respect chiefly, it demands our attention and regard. But who can follow the faithful historian, destitute of the knowledge of geography? This is the proper key to unlock historical mysteries. History and this are inseparably connected; and he who pretends to read the former, ignorant of the latter, may justly be said, *legere, sed non intelligere*.

Who can conceive a just idea of the skill and prudence of the most renowned general, while he is ignorant of the situation of the place, in which the battle was fought; and of the circumstances, under which he obtained a signal and decisive victory? Who can attend the traveller over various countries and seas, with satisfaction to himself, without a knowledge of this science? The different events, which are recorded in history, to have happened in the world, the description of places and of battles, and the narrations of travel-

lers, cannot be understood, independently on geographical knowledge. And a thorough acquaintance with the situation of those countries, which are mentioned in history, greatly assists the memory to retain the relative facts or the particulars concerning them.

The science of geography presents to our view the world in epitome. It exhibits, depicted before our eyes, the various countries and oceans on this globe. It serves as a happy substitute for travelling: and though the knowledge, which we derive from it, may not be so distinct, as that which we acquire by travelling, yet it is more enlarged and diffusive. There are few men who have the means of extensive travelling, and many of those who have, are incapable of accurate observation, and of facility and elegance in description. From travelling we learn chiefly the situation of places, the manners, the customs and dispositions of the people; but geography informs us of every thing which relates both to a country and its inhabitants. It contains a repository of facts, which are founded on accurate and long experience, which have received the approbation of the greatest men, and which in general are dictated by the voice of truth.

Travelling was perhaps the principal method, which the ancients pursued, for gaining their information of the world. It was at that time a good one; because they had no regular systems of geography, to which they might have recourse. They were deficient in geometry, mathematics, and astronomy, which are essentially necessary to form a perfect system of geography. Their systems were narrow and confined, and required experience and age to give them authenticity and respect. Hence they travelled into foreign and distant countries, in order to obtain a knowledge of geography and of human nature.

The moderns are happily relieved from these embarrassments. Geography is now formed and digested into a complete, distinct, and regular system, and has attained to a high degree of perfection. It has become a treasure

of miscellaneous information. It is a universal mean for conveying instruction—I mean by which we become well acquainted with different parts of the world, without the labour, the expense, and the danger of travelling.—We may sit in our rooms, and comprehend the whole world in one perspective view. We may there contemplate regions, kingdoms, cities, woods, and rivers, as if they were really before us: there we may examine into the phenomena of nature, and admire her wonderful operations: there we may observe the immense variety in the three great kingdoms into which this world is divided: there we may see with astonishment the flames and burning eruptions of Vesuvius and *Ætna*: there our minds may freely and calmly rove, through deserted vallies, romantic groves, and rural villas: there we may march with the intrepid warrior, over lakes and marshes, craggy rocks and rugged mountains, without perceiving the fatigue; attend him in all his manœuvres; and rush into the midst of battles and of wars, without endangering our lives: there we may behold with surprise the celebrated Hannibal surmounting the greatest obstacles, making an almost incredible march through the huge mountains of the Alps, defeating the Roman legions, and placing his victorious army before the gates of Rome: there with rapture we may survey this new western empire, and investigate the different places, in which the sons of America, conducted by the illustrious Washington, defeated the boasted armies of Britain, and reduced the pride of her vaunting heroes.

From the science of geography we obtain a general idea of universal history—we become acquainted with the extent, the local and political situation of countries, number of their inhabitants, their soil, produce, manufactures, commerce, navigation, forces, government, revenues, manners, habits, learning, climate, progress of arts and sciences, civilization, and religion—Can a more inviting field be presented to us? can there be a more exuberant and diver-

sified source of pleasure and improvement! I might almost say

Omne tulit punctum, qui geographiam cognovit.

Are any anxious to obtain useful knowledge? to this science they must diligently apply—are any pursuing amusement and pleasure? from the knowledge of this science flow incessant streams of rational entertainment. It furnishes the fertile imagination with an exquisite variety of beautiful and striking scenes: whence have the poets derived their figures and similitudes? From countries, rivers, cities, and groves. At first, perhaps, the study of geography will appear dry and uninteresting; but the pleasure, consequent on knowing it, will infinitely more than compensate for the labour bestowed in the acquisition. It is one of those studies of polite learning, with which every gentleman should be well acquainted. Without a knowledge of his own and of other countries, he can have no idea of the world. His mind will be contracted, and he will view the works of creation in a diminutive light—but geography expands the mind, and sublimates our ideas—It leads us to ascend from this world to the universe; and enables us to contemplate the admirable beauty, order and harmony, which pervade the system of creation—it presents to us the whole world as a vast theatre, on which arise and disappear in constant succession, the most animated and embellished scenes. It opens to us the cabinet of nature's richest stores, and discloses her concealed and accumulated wealth—it informs us of natural curiosities, and of the distinguishing traits in national character.—It teaches us the difference between antiquity and the present time, and the various forms and modifications which are occasioned by revolving ages—from this we learn the situation of the ancient world, the ideas of the ancients concerning the globe, and into what kingdoms, states, republics, and provinces, it has been divided through the different intervals of time—by this we are apprized what changes government

has assumed, and what kingdoms and states have been formed from the ruins and combinations of others—the exploits, connected with the names of cities and of places, which occur in history, sometimes we ourselves, can neither understand, nor develop to others, unaided by geography—these often mutually illustrate each other.

To the orator, the divine and the physician, the study of this science is equally necessary; because it comprizes a general knowledge of every thing which concerns this world and its inhabitants.—“The orator,” says Cicero, “should be well skilled in all the branches of learning.” This especially will afford him a multitude of figures and examples—this will greatly aid him in extempore speaking, because it will furnish his mind, with the knowledge of the world, and with materials almost on every subject: should the divine be ignorant of geography, the historical part of scripture will be to him an unmeaning tale, and to the names which are mentioned in it, he can annex no idea of the place or country. The peregrinations of the patriarchs, the travels of the Israelites, the Jewish wars, and the predictions of the prophets, which respect particular nations, will be dark and unintelligible. To read of the journeys and travels of the apostles will yield him no satisfaction. In short, he will labour under numerous difficulties and impediments in explaining many passages of scripture. And how deficient in knowledge must that physician be, who is uninformed of the situation of countries, of the state of society and cultivation, and of the difference of climate—who does not know in what regions the heaven is found to be mild or severe, noxious or salutary to men—who is ignorant in what countries the most common medicinal roots are produced, and where are found the most remarkable springs of medicinal quality?—

The study of geography should make a part of our frequent amusements. And certainly it is one of the best amusements which can possibly be

invented, because it affords valuable instruction, while it may gratify and ravish our fancy—a constant variety is revolving before us—there is an almost infinite satisfaction in knowing the situation of other countries, and in being able to compare them with our own—Thus we discover the difference of situation, of climate, and of soil, and on which side the greater excellence lies. Hence, if our native soil be inimical to us, an opportunity is given of seeking more friendly climes. The advantages of geography are incomparably great, and the scholar who does not understand it, appears inexcusably ignorant.

To learn it is in the power of every person. No great exertions of genius are required: little more is necessary than a tenacious memory and clear discernment. If the memory be treacherous, it may in a great measure be remedied by diligence and unwearied attention.

Ancient geography represents the appearance of the ancient world, and treats of the division of empires and kingdoms which were formerly established—from modern we learn mutations in names and things, which have taken place in latter times. The former mentions the existence of castles, of towns and incredible edifices: of which the latter informs us little remains except the names. The face of the earth is so much changed, since the time of its first inhabitants, that could they now see it, they would scarcely know it to be the same.

The knowledge of our own country should be the first object of our attentive study, and next that of the world. To our country we sustain an affinity similar to that between a child and parent. To this, therefore, our first and chief attention should be directed—with every part of this we should be well acquainted—its military and maritime strength, its revenues, its produce, its commerce, its internal policy, and its government, are subjects worthy of our studious enquiry—and when we have obtained a knowledge of our

own country, let us advert to universal geography, and we shall have a more extensive field for speculation.

Observations on the support of the clergy.

By the late governor Livingston.

THEIR support, in general, is shamefully mean. The labourer is certainly worthy of his hire; and they are labourers in the sacred vineyard. If they labour as they ought—and we improve as we ought by their labours—the fruits of this vineyard are ineffable. What an august function, to be vested with credentials from the court of heaven, as ambassadors of reconciliation, and heralds to proclaim, on earth, peace, and good will towards men!

They have moreover been exceedingly useful to us in the late revolution; for which we ought gratefully to remember them. Had they been as generally against us, as they were for us, we should probably have found our resistance against Britain much more arduous and protracted than it has been. But they cordially flocked to the standard of liberty; and, by their example and influence, attracted thousands to the same banner. They were almost universally good whigs, excepting some of the northern Levites, who were *fed with the crumbs that fell from the society's table*; and who, as cheerfully, “sold their birth-right for a mess of pottage.” Why not then support them honourably? Why fill their minds with anxiety and distress about the temporal welfare of their families, when themselves shall have quitted the theatre of this world—concerns that will irresistibly occupy every feeling heart, how resigned soever to the dispensations of providence? Why embarrass them with worldly cares—when we expect them to consecrate their time to spiritual ones? It is ungenerous: it is niggardly. It is not doing to others, as we would that others should do unto us. For what layman in the whole country, would embark in an occupation, by which he could barely subsist from day

to day, without the least prospect of leaving a competence to his family at his death? I do not know the man.

I said that “the labourer is worthy of his hire:” and by this I mean, that the clergy are entitled to a generous support. Upon this subject, I cannot join in opinion with a certain denomination of christians, to whose principles, in general, I can heartily subscribe; and for whose conduct, both in temporals and spirituals, I have a very great veneration. The words are the words of scripture, and of the great head of the church. They are, moreover, expressly spoken with reference to the apostles, at the very time of their mission, to preach the gospel to the whole world: and St. Paul peremptorily claims his right to such maintenance, as such a preacher (1 Cor. ix.) and insists upon it, that all who preach it, are to *live by it*, though for some prudential reasons, he thought proper to resign it, as to himself. The *hirelings*, therefore, mentioned in the gospel according to John, must necessarily be a different class of men. For my part, I suspect them to be the prelatical bishops, who certainly do not come into the sheepfold by the *right door*; because they are politically introduced through the door of human establishments; which are so many evident encroachments upon the authority of the true and only head of the christian church: and certain it is, that for the most part, and more especially when they are bribed by the prince, to assist him to enslave the people, *they care not for the sheep*, which is another characteristic, there given of hirelings.

Beyond question, by hirelings is meant those ecclesiastics, whose chief good is the wealth of the world—and who love the wages more than the works: in short, those whose wages are fifty times more than the real value of the work; and who are so immersed in schemes of gain and politics, as to “leave the sheep, while they see the wolf coming.” These are, undoubtedly, such “strangers as the sheep will not follow.” If they did, I am persuaded they would be led into the ditch. But

true and faithful gospel-ministers are a very different set of men, and justly entitled to a decent support: and as to the common plea, of our inability to make the provision I contend for, it is generally false. Let us only save of what we now unnecessarily spend, and divert those savings into that channel; and our clergy may live as they ought to live—they may live comfortably at present, and besides be enabled to give themselves to hospitality, as overseers of the flock—or (as people fond of the pageantry of prelacy would translate it) bishops ought to do. And when called out of this world, too often to them, by our scandalous parsimony, “a valley of tears,” may be in circumstances to leave it, without the painful reflexion of quitting it, as, in a redoubled sense, “a valley of tears” to their widows and orphans. Thus they may leave it, not as they commonly do, by leaving at the same time their wives and children at the mercy of the public—the miserable beneficiaries of the cold hand of charity. I reprobate the thought. And whence all this sordid parsimony? Is there a parish in the state that desires a gospel minister, and that cannot properly maintain him? I doubt it. Not able to allow him, sayest thou, a sufficient maintenance? What a self-contradictory being art thou, that canst be prodigal of thy substance at a tipling house, perhaps to the great detriment of both thy soul and body; and in a thousand other instances, unnecessarily lavish of thy money; and only niggardly in supporting the public worship of God, which is instituted for thy spiritual benefit; and may, probably, by the blessing of heaven upon the faithful exertions of thy preacher, make thee wise unto salvation!

Thou hast no conception, thou miserable accountant, of the expense of their education to qualify them to lead thee into the way everlasting. It often costs them more than twice the value of thy whole farm: a farm which perhaps thou hast never yet paid for; and probably never will, or intend to pay for, unless some future legislature enable

thee to proffer to the seoffer, as a lawful tender, that which doth not amount in real value, to one-third of the consideration, which thou didst solemnly engage to pay; and hence the greater utility and necessity of a well-supported clergy, to preach thee into common honesty.

The same subject continued.

I Concluded my last paper, with remarking, that the clergy deserved the ampler support upon account of the expenses they are at in their education. In addition to this, we expect them to have considerable libraries of theological books. Their congregations, I mean, expect it. For, as to my own part, I doubt not, that the gospel may be preached, and successfully preached, without this immense apparatus of human erudition;—an apparatus that hath but too often proved the unhappy means of inflating with literary pride, and terminated in that “wisdom by which the world knew not God;” while it arrogantly despised, as “the foolishness of preaching, that by which it pleased God to save them that believe.” Indeed, I know it may, because I know it has been, and still is. The apostles had not this kind of preparation. Excepting St. Paul, they were all illiterate fishermen or mechanics: and George Fox alone has, *without* human learning, done more towards the restoration of real, primitive, unadulterated christianity, and the extirpation of priestcraft, superstition, and ridiculous unavailing rites and ceremonies, than any other reformer in protestant Christendom, has *with* it. But the apostles and primitive evangelists were, you say, in preaching the gospel, illuminated and directed by the holy spirit; and therefore wanted not the assistance of systematical codes, and sordid volumes of cabalistical criticisms. They were for and who dare, in modern times, or at any time, preach that same gospel without the like illumination and direction? If, without it, he pretends to preach any gospel, I am sure it would be a gospel of his own making, or that of his jesuitic preceptors.

But as I confine myself to those denominations of christians, who insist upon their clergy's being so educated and furnished, for the ministerial function, it is certainly an additional argument for augmenting their stipends. I will adduce another reason for a handsome and permanent support for the clergy. They ought to be independent as to their salaries. Their precarious subsistence upon annual subscriptions, when they are generally meant to be settled for life, keeps them so dependent upon the congregation for the continuance of the same support originally agreed upon, as frequently obliges them to improper condescensions, and greatly diminishes their public usefulness. Such subsistence, I say, is too precarious. It often depends upon the mere whim and humour of the people—often upon the particular humour of a few leading individuals in the parish, and is still oftener liable to be curtailed and retrenched through the natural avarice of mankind.

Having thus far advocated the cause of the clergy, I mean as far as I believe them useful to us as men and members of society in this world, and of great assistance to us as christians, in our preparation for the next: I must in my turn require one favour from them, which I am convinced, they cannot, upon their own principles, deny me. I wish they would insist more than they do, upon the necessity of good works—and be more particular than they are, against the prevailing vices and corruptions of the times. I am no Arminian. I expect not to go to heaven by my good works. They, alas! if a million times better than they are, would still be, in the eyes of infinite purity, as *filthy rags*. But I want the clergy to convince their flocks, that christian morality is, at least, the *hæc qua non*—that there is no such thing as being a real disciple of Christ, without “keeping his commandments”—that no man's religion survives his morals—and that a knave, who cheats his neighbour, whenever he has an opportunity, let him make what pretensions to piety he will, and say his prayers as often as he pleases, will,

without repentance and amendment of life, be—eternally lost.



An address delivered at the commencement held in the college of Philadelphia, on the 15th of December 1790, previously to the examination of the theses, and the conferring of the degrees of doctor of medicine. By Benjamin Rush, M. D. professor of the theory and practice of medicine in the said college.

Gentlemen,

IT is now nearly two and twenty years since the college of Philadelphia conferred the first honours in medicine, that ever were conferred in America.

Their honours consisted of bachelors' and doctors' degrees. By the rules of the college, the bachelor's degree was conferred first, and the doctor's degree three years afterwards, upon a candidate's producing and defending a thesis upon some medical subject.

However well these rules for graduating were intended, they have been found, by experience, not to answer the end proposed by them; for whether our bachelors, after they engaged in practice, lost the spirit of enquiry which is so common in colleges, or whether their success in business (founded in the ignorance of their patients of the gradation in medical degrees) led them to believe a doctor's degree to be unnecessary, it is of no consequence to determine; but it is a well known fact, that of the many young gentlemen, who have taken bachelors' degrees in the college, very few of them have returned to apply for the highest honour in medicine. In consequence of this event, the trustees of the college have lately abolished the degree of bachelor of medicine, as tending to favour indolence, and imposition; and have resolved, that hereafter the *degree of doctor of physic*, shall be the only medical honour that shall be conferred in the college of Philadelphia.

To render this honour truly estima-

ble, they have added to the number of medical professors, and have made instruction in physiology, and natural history, essential parts of a medical education.

Physiology is that part of our science, which explains the uses of the different parts of the human body. By teaching us the exact state of the animal functions in health, it enables us to discover the deviations from that state, which take place in diseases. It is the handmaid of anatomy, and is absolutely necessary to render a knowledge of the structure of the body, agreeable and useful.

Natural history includes the study of animals, plants, and fossils. The neglect, with which this important branch of knowledge, has hitherto been treated in our American colleges, has exposed our country, and more especially the profession of physic, to the censure of many ingenious foreigners. Natural history teaches us the origin of all our medicines. It unfolds many of the operations of nature, which assist us by analogy, in our enquiries into the causes of diseases. It is moreover the foundation of chemistry, and is intimately connected with natural philosophy, both of which are essential branches of medical science. Physicians are therefore called upon, in a more especial manner, to study it. They represent our great progenitor in the garden of Eden. It belongs to them, to name the various productions not only of the animal, but of all the kingdoms of nature. The first physicians in Europe have been distinguished by their knowledge in natural history. Nor has this noble science lent its aid to medicine alone. It has contributed, in the hands of physicians, to the advancement of national prosperity. The celebrated Linnæus once saved the navy of Sweden from the ravages of a worm, by directing the timbers, of which the ships were composed, to be placed under water at the season of the year in which he observed the worm to deposit its eggs. He added likewise, by his discoveries in natural knowledge, to the agriculture, manufactures, and commerce of his country.

The obligations, which have been imposed, by the new rules for graduating, upon each candidate to publish a thesis, it was conceived, would be attended with obvious advantages. He is thereby compelled to furnish the public, as well as his teachers, with the means of judging of his powers not only of retaining, but of combining ideas. He moreover provides an annual vehicle for the communication of new facts and opinions in medicine; for we find some of the most valuable discoveries in physic, of the last thirty years, have made their first appearance in the form of inaugural dissertations. It is true, these new arrangements for obtaining degrees, have added something to the expense of a medical education; but this additional charge, we hope, will be more than repaid by the advantages which have been enumerated. The whole expenses of a doctor's degree in our college are moderate, when compared with the price of the same honour in foreign countries: and yet we now teach every branch of medicine, that is taught in the most celebrated European universities.

It has been said further, that a smaller portion of instruction than is given, in foreign universities, is best accommodated to the present state of society in America. This objection, to our improvements in the objects and extent of a medical education, scarcely deserves a serious refutation. The life of an American citizen is certainly as valuable as the life of an European subject. Perhaps I should be safe in asserting that it is more so: for in what country, upon the face of our globe—have nature and government conspired to produce so universally, such a variety of blessings, which render life truly desirable, as in the united states of America?

The two young gentlemen, who now appear before us, as candidates for the degree of doctor of medicine, received the degree of bachelor of medicine in this college, during the time it bore the name of the university of Pennsylvania. One

of them, Mr. Sayre, has practised physic with reputation for three years in the state of New Jersey: the other, Mr. Bartram, grandson of the famous American botanist of that name, has spent part of the interval of his time since he received his first degree, in a voyage to the East Indies, where he has acquired much useful knowledge, particularly in natural history, by forming a connexion with a British physician* of the first eminence in that country: for it belongs to this noble science, not only to stimulate to voyages of discovery, but to cement: by kind and friendly offices, the ingenious men of different nations, more than any other science that ever engaged the attention of mankind. The subject of Mr. Sayre's inaugural dissertation is "an account of the causes which produce a predisposition to pulmonary consumption, and the method of obviating them." In this performance, our candidate has established a doctrine, which was first taught in the college of Philadelphia, viz. that the pulmonary consumption is a primary disease of the whole system; and that ulcers and pus in the lungs, which have been so long the objects of the faith, and the subjects of the experiments of physicians, are the effects, and not the causes of the disease. The remedies recommended by the candidate are adapted to his proximate cause. They are, exercise, especially on horseback, pure air, suitable diet, a cheerful tone of mind, and every thing else, that is calculated to impart vigour to the whole system.

This thesis is written in the language of the united states, not because the author is unacquainted with the language of ancient Rome; but because he believed that publishing in a language that is intelligible to every body, is not only the best means of diffusing medi-

cal knowledge, but of opening more extensive sources of information and discovery in our profession.

The subject of Mr. Bartram's inaugural dissertation is "aliment." He divides it very properly into such substances as nourish the body directly and indirectly, and such as are of a mixed nature. These he afterwards divides into vegetable and animal matters. In the course of his performance, he has given an account of the diet of most of the nations in the world, and its various influence upon health, and in some instances upon morals and manners.

This ingenious essay contains knowledge alike interesting and intelligible to all classes of people; and it is only to be lamented, that it is written in a language which can be read but by a small part of our citizens. In order to give the candidates an opportunity of discovering their knowledge on the subjects of their respective dissertations, a few questions will now be proposed to them by each of the medical professors.

National bank.

MESS. PRINTERS,

SOME observations having been made upon the proportion of the stock of the proposed bank, which is to consist of certificates of the public debt, your readers are referred to the statement of a similar fact upon a much more extensive case, in the first volume of Smith's wealth of nations; page 479, 480 and 481. It is there mentioned that the bank of England (than which none is more solid, none more useful) commenced in 1694 with a credit to their government of £.1,200,000 sterling, which was its whole capital; and that they continued their advances to the government, till the middle of the reign of George I. when they made so large a purchase of the south sea stock (after it was settled by act of parliament) that the amount of their public securities exceeded the amount of their capital, or specie stock: the latter being only £.8,959,995—and their certificates of public debt being £.9,375,-

NOTE.

* Dr. James Anderson, physician general of the troops of the British East India company at Madras, and author of several ingenious publications on natural history.

1717 10¹. "It was upon this occasion," says Mr. Smith, "that the sum which the bank had advanced to the public, and for which it received an interest, began first to exceed its capital." This was so long ago as the year 1721. "In 1746," he continues, "the bank had upon different occasions advanced to the public £.11,686,800, and its capital was not quite that sum, viz. only £.10,780,000." From the year 1721 to the year 1784, the bank of England has continued to own the public securities of Great Britain to the amount of its whole capital: tho' their debt is now 270,000,000^l. sterling, a year's interest of which would purchase the whole debt of the union, and the separate debts of all the states.

Extracts from the second lecture of the hon. James Wilson, esq. professor of law in the college of Philadelphia.

1.

ORDER, proportion, and fitness pervade the universe. Within us, we feel—around us, we see—above us, we admire a rule, from which a deviation cannot, or should not, or will not be made.

On the *inanimate* part of the creation are impressed the continued energies of motion and of attraction, and other energies, varied and yet uniform, all designated and ascertained. *Animated* nature is under a government suited to every genus, to every species, and every individual, of which it consists.—Man, the *nexus utriusque mundi*, composed of a body and a soul—*finds* or *makes* a system of regulations, by which his various and important nature, in every period of his existence, and in every situation, in which he can be placed, may be preserved, improved, and perfected. The celestial, as well as the terrestrial world, knows its exalted, but prescribed course. This, angels and the spirits of the just made perfect, "do clearly behold, and without any swerving, observe." Let humble reverence attend us as we proceed—the great and incomprehensible Author, and Preserver, and Ruler of all things—HE HIM-

SELF works not without an eternal decree.

Such, and so universal is LAW. "Her seat," to use the sublime language of the excellent Hooker, "is the bosom of GOD: her voice, the harmony of the world: all things in heaven and earth do her homage—the very least, as feeling her care; and the greatest, as not exempted from her power: angels and men, creatures of every condition, though each in different sort and manner; yet all with uniform consent, admiring her as the mother of their peace and joy."

Before we descend to the consideration of the several kinds and parts of this science, so dignified and so diversified, it will be proper, and it will be useful, to contemplate it in one general and comprehensive view; and to select some of its leading and luminous properties, which will serve to guide and enlighten us in that long and arduous journey, which we now undertake.

2.

There are many ways, by which laws may be made known. They may be printed and published. Written copies of them may be deposited in public libraries, or other places, where every one interested may have an opportunity of perusing them. They may be proclaimed in general meetings of the people. The knowledge of them may be disseminated by long and universal practice. "Confirmed custom," says a writer on Roman jurisprudence, "is deservedly considered as a law; for since written laws bind us for no other reason than because they are received by the judgment of the people; those laws, which the people have approved, without writing, are also justly obligatory on all. For where is the difference, whether the people declare their will by their suffrage, or by their conduct? This species of law is said to be established by manners*."

NOTE.

* Inveterata consuetudo pro lege non immerito custoditur (et hoc est jus quod dicitur moribus constitutum) nam cum ipse leges nulla alia ex causa non

Of all yet suggested, this mode for the promulgation of *human* laws seems the most significant and the most effectual. It involves in it internal evidence, of the strongest kind, that the law has been introduced by common consent; and that this consent rests upon the most solid basis—*EXPERIENCE*, as well as *opinion*. This mode of promulgation points to the strongest characteristic of *liberty*, as well as *law*: for a consent thus *practically* given, must have been given in the *freest* and most *unbiased* manner.

With pleasure you anticipate the prospect of a *species* of law, to which these remarks plainly allude.

Laws may be promulgated by *reason*, and *conscience*, the divine monitors within us. They are thus known as effectually as by *words* or by *writing*: indeed they are thus known in a manner more exalted. In this manner they may be said to be engraven by GOD on the hearts of men: in this manner, HE is the *promulgator* as well as the *author* of NATURAL LAW.

If a simple resolution cannot have the force of a law, before it be *promul-*

NOTE.

teneant, quam quod iudicio populi receptæ sunt; merito et ea, quæ sine ullo scripto populus probavit, tenebunt omnes; nam quod interest, suffragio populus voluntatem suam dictaret, an rebus ipsis et factis? D. I. l. t. 3. 32. p. 1.

gated; we may certainly hazard the position, that it cannot have the force of a law before it be *made*: in other words, that *ex post facto* instruments, claiming the title and character of laws, are *impossible*.

Peculiarly striking, upon this subject, are the sentiments of the criminal and unfortunate Strafford. I call him *criminal*, because he *acted*—I call him *unfortunate*, because he *suffered*—against the laws of his country. His sentiments must make a deep impression upon *others*; because, when he spoke them, he must have been deeply impressed with them *himself*. When he spoke them, he stood under a *bill of attainder*, suspended only by the slender thread of *political* justice, and ready, like the sword of Damocles, to fall on his devoted head.

“Do we not *live by laws*? And must we be punished by laws *before they are made*? Far better were it to live by no laws at all, than to put this necessity of *divination* upon a man, and to accuse him of the breach of a law, before it be a law at all*.”

In criminal jurisprudence, a *Janus statute*, with one face looking backward, and another looking forward, is a monster indeed.

NOTE.

* Whitlock's notes upon the king's writ for choosing members of parliament. Vol. 1. p. 250.

SELECTED PROSE.

Essay on population. From the repository, a London periodical publication, of 1788.—Page 128.

CLEAR as are our principles, and as irrefragable as are their proofs, the following table will, at the first view, create a diffidence in the minds of many, who are unused to arithmetical processes, whom yet the table will serve ultimately to convince. It is founded upon actual observation in America; and is designed to represent the progressive increase of an hundred people, who proceed in doubling their numbers

respectively in periods of fifteen, eighteen, twenty, twenty-five, and thirty years, without the mixture of any strangers. A bare inspection will suffice for understanding the table; and an operation of the rule of three will enable the reader to apply it to a stock of people of any other given amount that shall be in question, and which shall multiply according to either of the rates which it exhibits†.

NOTE.

† Thus, if the 600,000 persons who

Number of periods.	Periods of years.						People.
	15	18	20	25	30	100	
1	15	18	20	25	30	100	200
2	30	36	40	50	60	400	400
3	45	54	60	75	90	800	800
4	60	72	80	100	120	1,600	1,600
5	75	90	100	125	150	3,200	3,200
6	90	108	120	150	180	6,400	6,400
7	105	126	140	175	210	12,400	12,400
8	120	144	160	200	240	24,800	24,800
9	135	162	180	225	270	49,600	49,600
10	150	180	200	250	300	99,200	99,200
11	165	198	220	275	330	198,400	198,400
12	180	216	240	300	360	396,800	396,800
13	195	234	260	325	390	793,600	793,600
14	210	252	280	350	420	1,587,200	1,587,200
15	225	270	300	375	450	3,174,400	3,174,400
16	240	288	320	400	480	6,348,800	6,348,800
17	255	306	340	425	510	12,687,600	12,687,600
18	270	324	360	450	540	25,375,200	25,375,200
19	285	342	380	475	570	50,750,400	50,750,400
20	300	360	400	500	600	101,500,800	101,500,800

This singular picture of the effects of population, wherever free to take a natural course, requires some little explanation to avoid misapprehension. For example, it will not apply to the case of a colony which is settled in a country previously closely peopled;

NOTE.

inhabit London, require 7246 annual recruits, or 600,000 in 83 years, it is desired to know, what would become of 600,000 people in that space of time, who should be carried to America, and placed in a situation to double their number once in every twenty years? I say then, after turning to the table, as 100 : 1600 :: 600,000 : 9,600,000. This answer omits three years of the increase, and supposes the annual addition of 7246 people not to be thrown in. It is, however, enough to shew, that the inhabitants of London, who decrease in their present situation, at a rate, that in a century would more than annihilate them, were they not to be recruited; if placed in America without any recruits, would grow, in the same space of time, to be more than equal in number to all the inhabitants

though it will correspond with the case of a race of farmers who should succeed (as in North America) a race of hunters; the earth being productive, and employed with economy in the hands of the one, and wastefully used in the hands of the other. It will as little apply to a limited, to an unhealthy, or a barren territory, or to a rigorous climate, or to a situation much exposed to wars. Profligate manners, bad government, bad credit and reputation, and the use of slaves, are also more or less unfavourable to it. Nor can much be expected, when a factory or a military establishment, rather than a settlement—or where luxury rather than food—or articles of produce, improper for the situation—are in view.

NOTE.

of Great Britain and Ireland. The very recruits, whose accession is not reckoned upon, would do the same.—See dr. Franklin's works; dr. Styles on christian union; dr. Galt's historical memoirs of American population, in the Phil. Transf. vol. LV.; dr. Price's letter to dr. Franklin, on the state of London, and on population, &c. &c.

Neither can settlements take firm root immediately ; nor can they make an equal progress to the end, when the approaches of a state of repletion, as to inhabitants, must naturally check the operation. These, and a variety of other circumstances, may interfere, which it is sufficient thus to have alluded to.

Nature being uniform in her processes, we shall find our general principles at work in other parts of the creation : and a recital of a few instances of this description, will tend to reconcile us to the assertions here made, respecting the human race ; which not being analogous to the facts occurring to the view of the inhabitants of Europe, will to such appear, at first, rather as the romance of fancy, than as the sober deductions of experience. To begin with animals. If, as I presume from their name, the Norway rats in this island be a colony from the north, these animals are astonishingly multiplied with us during the christian era, or within some later period, as must be evident to every one ; though, during the same time, from opposite causes, the black rat, instead of increasing in the same proportion, has been much diminished. This case may represent that of conquerors, who live and thrive upon the means of the vanquished, who necessarily in consequence decline. Wolves, which are native inhabitants of this island, have been wholly extirpated by what may be called a state of war ; while other game has survived by the protection of our gentry ; which is, however, insufficient to produce any footing for certain French game, which have been turned loose here ; probably, because competitors have been found in other animals, who have been too powerful to permit them to obtain the share of food necessary, if not for sustenance, yet at least for increase.—But to turn our view to examples still more apposite ; we find animals, when introduced into an unlocked country, (*vacuum domicilium*) multiplying at a rate which eludes all calculation. A few cattle in America, we find, grew, in a single

age, to be numerous enough to be killed only for their fat and hides ; worms issuing from the sheathing of a few vessels, rapidly overran new harbours and coasts : rats, which appear exotics in our settlements, and are imported into them at the rate of only a few thousands annually, have risen into an evil of such magnitude, as to be destroyed by millions yearly : a few bees, properly distributed at first, now swarm in the new world, universally wild : and, to recite a still more melancholy proof, ants, flies, caterpillars, and other destructive insects, rush through whole provinces and islands in a few seasons, marking their infectious course, like a consuming fire, and frequently forcing the inhabitants to abandon the culture of those articles which they attack.—If we look at vegetables, placed in similar situations, the ratio of increase with them is equally swift and expansive. Neither the sugar cane, rice, coffee, wheat, nor various other plants, in the western hemisphere, were the aborigines of the spots where they are now cultivated : a few handfuls only* of each formed the first supplies ; tho' at present whole navies are employed in conveying back the annual returns.—Yet even in these productive regions, whenever the situation is contracted, the retrograde laws of nature are equally observable with those that are progressive, and America loses its own original productions. Thus when the North Americans cut down forests, the game first diminishes, and then the Indians.

But there is no end to these remarks. We must therefore divest ourselves both of diffidence and prejudice—and acknowledge this important corollary, respecting the human race—that *man is*

NOTE.

* It is said that one of the most valuable plants in Jamaica, after the sugar cane (*viz.* a grass from the coast of Africa, since called Guinea grass) was introduced, not many years ago, by an accident similar to that which gave Robinson Crusoe his feed corn.

the creature of demand and opportunity; and that, as our food grows according to situation, so we ourselves grow according to our food. Like the progress of money, which is placed at compound interest, our multiplication surpasses credibility, whenever there is scope enough for *the increase itself to give increase* in its full extent.

Much might be said on the subject of the mode of planting colonies, of their proper seats, their proper objects, and the proper systems for their government: but this would not only open a wide field, but would produce divided opinions. I shall therefore conclude with the notice only of two circumstances respecting colonies.

The first regards morals. The late Mr. Richard Jackson excellently remarks on this subject, as follows:—"When we would form a people, soil and climate may be found at least sufficiently good; inhabitants may be encouraged to settle, and even supported for a while; a good government and laws may be framed, and even arts may be established, or their produce imported. But many necessary moral habits are hardly ever found among those, who voluntarily offer themselves in times of quiet at home, to people new colonies; besides that, the moral as well as mechanical habits, adapted to the mother country, are frequently not so to the new-settled one, and to external events, many of which are always unforeseen. Hence it is, we have seen such fruitless attempts to settle colonies, at an immense public and private expense, by several of the powers of Europe; and it is particularly observable, that none of the English colonies became any way considerable, till the necessary manners were born and grew up in the country, excepting those, to which singular circumstances at home forced manners fit for the forming of a new state*." We may add to this pas-

NOTE.

* See R. J.'s remarks on Dr. Franklin's thoughts on the peopling of countries, &c. printed with Dr. Franklin's works.

sage, that good morals have a tendency to suppress the vices which waste the human race, and at the same time to introduce grave and important pursuits. They offer, under the restraint of marriage, a system which is the most productive possible, respecting the birth of children; and which, by giving to each parent confidence in the fidelity of the other, unites them both in the care of rearing their offspring, and inclines them both to form a settled home, and to establish a fund of permanent property. Dr. Davenant had a very imperfect idea of our general theory: but he very well elucidates this part of it, in speaking of the particular instance of English North America. "To the sobriety and temperate manner of living, practised by the dissenters in America," he says, "we may justly attribute the increase they have made there of inhabitants, which is beyond the usual proportion to be any where else observed. The supplies from Europe by no means answer their present numbers; it must therefore follow, that their thrift, and regular manner of living, incline them more to marry, and make them more healthful for generation, and afford them better means of having the necessities to sustain life, as wholesome food, and cleanly dwelling and apparel; the want of which, in other countries, is a high article in the burials of the common people. We do not pretend here to excuse the heterodox opinions these dissenters from our church may have conceived about religious matters, nor to justify their schism; but it must be owned, that the sobriety, which at least they possess outwardly, is beneficial both in practice and example: for where riot and luxuries are not discountenanced, the inferior rank of men become presently infected, and grow lazy, effeminate, impatient of labour, and expensive, and consequently cannot thrive by trade and tillage. So that when we contemplate the great increase and improvement, which have been made in New England, Carolina, and Pennsylvania, we cannot but think it injustice not to say, that a large share of

this general good to those parts, is owing to the education of their planters; which, if not entirely virtuous, has a shadow of virtue; and if this only were an appearance, it is yet better for a people that are to subsist in a new country by traffic and industry, than the open profession of lewdness, which is always attended with national decay and poverty."—To this same effect we find Sir Josiah Child and archbishop Sharp speaking. Sir Josiah says, with respect to New England, "I am now to write of a people, whose frugality, industry, and temperance, and the happiness of whose laws and institutions, promise to them a wonderful increase of people, riches, and power; and although no men ought to envy that virtue and wisdom in others, which themselves either can, or will not practise, but yet rather to commend and admire it; yet," &c. &c. —"Name," writes archbishop Sharp, "any nation that was ever remarkable for justice, for temperance, and severity of manners—for piety and religion, though it was in a wrong way—that did not always thrive, and grow great in the world; and that did not always enjoy a plentiful portion of all those things, which are accounted to make a nation happy and flourishing. And, on the other side, when that nation has declined from its former virtue, and grown impious and dissolute in manners, we appeal to experience, whether it has not always proportionally sunk in its success and good fortune."

The passages just recited, naturally suggest the other topic to which I allude, which is that of toleration; a few words concerning which will terminate the present or second general division of my subject.—It has been said, that "one sect of christians has killed more christians, than all the pagan persecutions put together." The destruction or exclusion of subjects implies a system which is the very reverse of colonization, by which it is proposed, that men should be multiplied. These are not likely to have thought much, who do not think variously; as those, who

are said to think in complete unison, will often be found not to think at all; and if the Deity does not ask of us to think alike, which seems plain from his not taking effectual measures for that purpose, men have no right to enforce an uniformity towards him, in points which do not concern civil society. I am sensible that this discussion will be thought delicate. But those who are afraid of entering upon it, must not expect great success in colonization; for some of the most proper persons to be found in numbers sufficient to begin a colony, are generally sectaries, natives or foreigners. Happily the time appears to approach fast, when the statesman's toleration will be marked in this short catechism: "Does your religion permit you to plough and manufacture?" "Yes." "Do you acknowledge my authority?" "Yes." —"Be assured then of my protection. I shall punish loose morals and civil crimes, and keep you from quarrelling with your neighbours: for the rest, it belongs to God and your conscience. Shall I, who am a sinner, judge you!"

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Anecdote.

A Clergyman took for his text the following words:—"Vow, and pay unto the Lord thy vows." An Indian heard him very attentively, and stepping up to the parson, thus accosted him—"I vow I'll go home with you, mr. Minister."—"You must go then," replied the parson. The Indian afterwards *vowed* to have supper, and then to stay all night. "You may," replied the clergyman: "but I *vow*, you shall go in the morning."

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Select maxims.

IT is of little avail, what we know, if we do not know ourselves.

Beware of those vices, which resemble virtues.

Preserve, if you can, the esteem of the wise and good—but more especially your own. Consider, how deplorable a state of mind you must be in, when your conscience tells you, you are a villain.

Essay on the influence of religion in civil society. By the rev. Thomas Reese, A. M. pastor of the presbyterian church at Salem in South Carolina. —Written anno 1785.—Page 233.

NUMBER X.

CHRISTIANITY not only enjoins meekness and benevolence, but expressly condemns a contrary disposition. A malicious and vindictive temper is directly opposite to the precepts of the gospel. Hear the apostle Paul on this subject, "Dearly beloved, avenge not yourselves; but rather give place unto wrath; for it is written, 'Vengeance is mine; I will repay, saith the Lord.' Therefore, if thine enemy hunger, feed him; if he thirst, give him drink: for in so doing, thou shalt heap coals of fire upon his head*." This is perfectly consistent with the precepts and example of his meek and heavenly master, who teaches us to expect forgiveness, only on condition that we forgive others. "But if you do not forgive, neither will your Father, who is in heaven, forgive your trespasses." The same precept and example is illustrated and enforced, with incomparable strength and beauty, in the parable of the debtors and creditors, Mat. xviii. from the 23d verse, to the close.

The Jewish doctors, by straining the law of retaliation for personal injuries beyond its original design, gave too much countenance to private revenge. They enjoined it on men, as their duty, to insist upon retaliation; and even went so far as to pronounce it lawful, in many cases, for the injured person to avenge himself, provided his revenge did not exceed the due measure. This was an evident abuse of the law, which only empowered the judges to give "an eye for an eye, or a tooth for a tooth," if the injured party demanded it, and would not be satisfied with a

pecuniary compensation. Our Saviour teaches a more excellent morality, and a more heroic pitch of meekness and patience. "Ye have heard, that it has been said, 'an eye for an eye, and a tooth for a tooth;' but I say unto you, that you resist not evil: but whosoever shall smite thee on the right cheek, turn to him the other also: and if any man will sue thee at law, and take away thy coat, let him have thy cloak also." Here our Saviour not only condemns the corrupt glosses of the Jewish doctors; but, as is plain from the general strain of his language, forbids christians some things, which were permitted to the Jews, under a more imperfect dispensation†. He does not allow his followers to insist upon retaliation for lesser injuries, and condemns that litigious temper, which urges men, to seek redress by law for every trifling offence; teaching us rather to relinquish part of our right, and bear with a small degree of injury, than violently to prosecute the offender.

It is not easy to determine, what was the prevailing opinion of the heathen philosophers and moralists, on this subject. Some of them approve of revenge, others condemn it‡. In this, as well as in most other points of morality, they were much divided, and advanced sentiments repugnant to each other. How well soever some of them may have

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† Vide Tertull. Chrysost. and Whitby in loc.

‡ Socrates, Plato, Maximus, Tyrtus, Seneca, and some others, of less note, condemn revenge; particularly the last, who seems to have had the fullest and clearest notions on this subject, for which he was perhaps indebted to christianity. Aristotle is plainly on the other side, and Tully, as is usual with him, wavers. In his offices and his oration for Marcellus, he speaks much in favour of clemency and a mild forgiving spirit; but in one of his epistles to Atticus, he thus lays open his heart: "Odi hominem, et odero: utinam ulcisci possim."

* I. E. melt and soften him by the warmth of your charity, as the hardest and most stubborn metals are melted and softened by the heat of additional coals heaped on them in the furnace.

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spoken on this subject, it is plain, that our duty, in this respect, is pointed out by Christ and his apostles, with much greater clearness and precision, and enforced with an energy and authority, much better adapted to influence the minds of men, than in any of their writings. How favourable this influence is to civil society, and how commodiously it falls in with the intention of human laws, will appear from the following considerations.

Private revenge is utterly repugnant to the principles, and directly opposite to the nature and end of civil society; and therefore condemned by the laws of all wisely constituted and well regulated governments*. No man, in a

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* The judgment of zeal among the Jews, and the law respecting the avenger of blood, may perhaps be reckoned exceptions. As to the first, I am clear, it was not founded on scripture, in that latitude the Jews supposed. This, I think, must be evident to any one, who reads the account of it in Philo and Josephus. To what execrable purposes it was applied, appears plainly from the many attempts made on the life of our Saviour, the stoning of Stephen, and the diabolical conspiracy against the apostle Paul; for in these, and in many other instances, which might be mentioned, it appears to me most probable, that they proceeded under this pretence. The law concerning apostates to idolatry, which, the Jews tell us, was first executed by Phineas, gave rise to the judgment of zeal. But it cannot be made appear from that law, as it lies in scripture, that even idolators were to be put to death without a previous trial: an enquiry was to be instituted, and witnesses summoned. The case of Phineas was extraordinary; and whatever opinion we form of it, could not have been designed by God, to authorize every Jew to put to death, without delay, or any form of legal process, those who did or said any thing dishonourable to his religion. As to the Jewish law, which permitted a re-

state of civil society, is left at liberty to retaliate an injury, or take satisfaction of an offender, with his own hand and in a private way. In a well regulated government, the power of judging and punishing, in our own case, is taken from us. Laws are framed, to determine the criminality of injuries done by one individual to another, and to fix the kind of punishment to be inflicted. These laws are put into the hands of persons supposed to be indifferent, to be carried into execution: and to these we are to appeal for redress of injuries. According to the principles of civil society, therefore, it is criminal to take the punishment of an offender into our own hands, though we be never so much wronged. The wisdom

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lation to take vengeance on a manslayer, it was greatly moderated, and the sanguinary effects of it guarded against, by the asylums appointed for such as had been guilty of accidental homicide; for the avenger of blood was not at liberty to attack the homicide in his sanctuary. The design of it, was not to encourage men in a vindictive temper—but to inspire them with a horror of bloodshed; for by the risk, which they ran from the relations of the slain, and the hardship of confinement in the city of refuge, even when innocent, they were taught to be cautious, in avoiding every thing, that might endanger the life of a fellow citizen. However, if any one think this an exception to the above general assertion, I will not obstinately contend the matter here; for I am ready to allow, there are some exceptions. The laws of Sparta gave the ephori the right of putting persons to death without a trial. By a law of Solon, a husband who caught his wife in adultery, was at liberty to slay the adulterer on the spot. In some governments, masters and parents have been allowed the power of life and death, over their slaves and children. But whether these laws were wise and salutary, in any government, is a matter I

and necessity of this plan are obvious. One principal reason, why men cannot subsist in a state of nature, is their propensity too highly to resent, and too severely to punish, every real or imaginary injury. Men are very improper judges in their own case. That pride, that selfishness, and false opinion of their importance, which is natural to them, render them wholly unfit to determine the real demerit of injuries done to themselves. It is scarcely possible for any man, entirely to divest himself of all partiality. in a case, where he is nearly concerned. Men of the most fair and upright minds are generally prejudiced in favour of their own relations and connexions: much more, then, must they be partial to themselves; and this partiality utterly disqualifies them from being proper judges, where they are parties.—Hence we see the impropriety of allowing men, in a state of civil society, to judge in their own case, and retaliate as they may think proper. This is the business of the common judge, constituted by society, and to be done agreeably to certain fixed laws, framed by

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very much doubt. They are, I think, reprobated by all christian states.

To prevent objections, I would further observe on this subject, that there are some extraordinary cases, in which the laws of England admit an extra-judicial remedy, and allow a redress of injury by the mere act of the party injured. Among these judge Blackstone reckons self defence, recaption, abatement of nuisances, distress for rent, and cattle damagefeasant, with some others. The first of these is for the prevention, rather than redress, of wrong: for if the defender go further, than is necessary for defence and prevention, the law considers him as an aggressor. The last is not so properly redress, as the means of obtaining redress in a legal way; unless it be where the distress is retained for compelling satisfaction. Recaption indeed is, in a proper sense, redress; and removal of nuisances seems design-

common consent, for the redress of injuries. To this judge, and to these laws, we must appeal, when we are injured. He, therefore, who takes upon him to retaliate an injury, as he thinks fit, and to punish the offender, without such appeal, is guilty of an outrage on civil government, and stands condemned by the laws of society. The reader will please to observe, that we here speak of such injuries, and acts of revenge, as human laws can conveniently take notice of and punish; for there are innumerable instances of both, which civil society, from its natural imperfection, is obliged wholly to overlook. And in all such instances, men are under no restraint at all from civil laws, as will be shown hereafter.

A little attention to these observations may lead us to see, how well suited the above-mentioned precepts of christianity are, to co-operate with civil laws, and secure the peace and happiness of civil society. Our religion not only condemns all overt acts of revenge, but also prohibits that vindictive spirit, from which they flow. It strikes at the very root of all those evils, which spring from the malignant passions, the

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ed both for redress and prevention. Yet, even in these, the persons aggrieved act under the restraint and direction of law. Recaption must be without force or terror: nuisances must be removed peaceably, and without any riot. But notwithstanding these and some other instances, in which, on account of some peculiar circumstances, a well-regulated society may permit a kind of extra-judicial redress, I have not scrupled to affirm in general, that in a state of civil society, men are not at liberty to minister redress to themselves; and I have insisted the more largely on this, because, since the close of the war, I find many of my countrymen too much disposed to take the punishment of offenders into their own hands—a mode of proceeding, which directly tends to dissolve our government, and reduce us to a state of nature.

ferce contentions and mutual injuries, which are so destructive to our well-being in the social state. It forbids all those acts of revenge, which are the proper objects of human laws, and thus affords them that assistance which they so much need. It goes further, and exerts its gentle influence, in restraining men from innumerable instances of revenge, which civil laws cannot reach, and therefore overlook. Men of a revengeful and malicious disposition may find a thousand ways, to gratify their resentment, and ruin their neighbours, without the least danger of punishment from human laws. An innocent man may be robbed of his estate, and, what is much more valuable, of his reputation, without being able to obtain the least legal redress. In a word, infinite mischief may be done to society, by deeds of revenge, which the laws of man can neither take cognizance of, nor punish. But christianity forbids all such acts, condemns the temper from which they arise, and refers the punishment of them to that Almighty and Omnipotent Being, to whom belongeth vengeance.

He who hath felt the power of religion on his heart, and governs his life and temper by the precepts of the gospel, carefully watches against every emotion of revenge; much more, then, will he guard against suffering it to break out in those actions, which may be injurious to his fellow-citizens, even though he may have the prospect of escaping with impunity from men. He delights in the happiness and prosperity, not in the pain and misery, of others; and feels himself constrained, by an obligation, more powerful than all laws, to shun whatever may be hurtful to his neighbour, and detrimental to the public tranquillity. When he contemplates the example of the meek and lowly Jesus, who "when he was reviled, reviled not again;" and who poured out an ardent prayer for his enemies, even when they were shedding his blood; how does it animate him to subdue his resentment, and crush every inimical passion! He does

not suffer himself to be transported with wrath, on every slight affront; but bears injuries with patience; conquers, by yielding; and shows himself superior to his enemies, by a meek, humble, and forgiving spirit. If, at any time, he see it absolutely necessary, for his own security, and the preservation of peace and good order in society, to resent an injury, he will do it from a sense of duty, and not to gratify a malicious and vindictive temper. He will not attempt to redress injuries, by taking private vengeance on the aggressor; but will appeal to the laws for his vindication: and even in this, he will discover a meek and quiet spirit, which shows, that he is prompted, not by a desire of revenge, but by a regard to justice and the public good. If the redress cannot be obtained in this way, he suffers wrong, and appeals to him, who will sooner or later vindicate the innocent, and punish the guilty.

If we would all thus conform to the precepts of christianity, what a happy society would we be! we would not see such fierce contentions, so much strife and animosity, so many instances of mutual injury and revenge, so much legal wrangling, and so many tedious and expensive law suits. If men, who call themselves christians, would consider the happy tendency, and listen to the rational dictates, of their religion, we would not see such tragical effects from slight affronts and petty provocations; nor hear of so much blood wantonly lavished, by that barbarous, Gothic custom of duelling, which prevails among some of our high-spirited gentlemen. This custom, so pernicious to civil society, and so directly opposite to the mild spirit of our religion, would be totally abolished. It is not a little surprising, that men, who pique themselves on their humanity and politeness, never reflect, that this practice is no refinement of modern times, but was brought into Europe by those fierce northern boors, who over-ran the Roman empire. The civilized heathens, the polite Greeks, and war-like Romans, were strangers to this

absurd, barbarous custom. They reckoned it glorious to die for their country; but never sacrificed each other in cold blood, to the little punctilios of honour. The prevalence of this practice, in christian countries, contrary to all the laws of religion, as well as reason and humanity, is one of the strongest proofs of the amazing force of custom on the human mind.

To conclude this particular,—as christianity surpasses all other religions, in that meek, gentle, and forgiving spirit, which it requires; so it must be, of all others, the best adapted to preserve peace among men, and promote the happiness of civil society.

(*To be continued.*)

Reflections on the custom of burying the dead, and the danger of precipitate interment. Translated from the French of Mr. Durand. —Page 227.

It is not only in Europe, that precautions are taken against precipitate burials. In Asia, when an inhabitant of the kingdom of Boutan dies, the body is kept in the house three days, all of which are spent in singing and prayers.

If we, instead of following the example of those people, have forgotten that respect which the ancients entertained for the dead, it is owing to the prejudices of our education, imbibed in infancy. In that early age, nurses and ignorant servants instil into children, those absurdities, which they themselves have adopted; and such prejudices are the most difficult to be overcome. Scarcely has one ceased to live, when he becomes an object of horror. The body is abandoned to a set of mercenary people, who begin by dragging it from a warm bed, to place it on some cold straw. Soon after, the desire of gain draws together the undertakers, who first cover the head and face with a kind of cap, in shape of a bag. Sometimes they put cotton into the mouth, the ears and even into the fundament, if the last precaution has not been taken before their arrival. This cotton is placed there to prevent the

body from staining the linen in which it is wrapped up. They then bind the breast and arms round with a bandage, and make another pass round the lower part of the belly; the latter comprehends the arms from the elbows, and serves also to enclose the feet; after this, the undertakers wrap up the whole body in a sheet, which they fix at both the extremities, and either sew or fasten it with pins, observing always to confine the body as closely as they can. It is thus that a man is prepared for his coffin: but it would be difficult to pursue a more pernicious method, even if one had an intention of accelerating death, or of rendering it impossible for a person to return to life.

The cold, to which a dying man is exposed, that he may not dirty himself, is attended with the greatest danger; for while the sphincter remains in contraction, there exists within us some remains of irritability, and consequently of life. The discharge of the intestinal matter, is the *ultimum vita*. Thus, whilst a child has not yet voided the meconium, the man-midwife, notwithstanding the most dismal symptoms, still hopes to recall it to life. On the contrary, the appearance of this excrement is considered by him as a certain sign of death. The stopping of the anus is attended with no less inconvenience, as it prevents the action of the parts, in which life still subsists; for the abbé Spalanzani has proved, that digestion continues for some time after a person's death. If these parts could afterwards recover force and irritability enough, to reanimate the other organs, the closing the anus would necessarily become an obstacle to their salutary action. The different situations given to a body, are sufficient, when it has arrived at the last degree of weakness, to cause or accelerate death. Of this, however, people are not sufficiently aware, when they take away the pillow from a dying person, which is often done, and place the body upon a straw matras. Besides, during life, there exhales continually from the cavities of the head, from the breast, and from the belly, a vapour, which is

always absorbed by the vessels; but if this vapour be condensed by the cold, it thickens into drops, as may be seen by breathing upon glass, and then an expansion takes place, which interrupts the action of the vessels, and opposes the return of life. Humanity protests against such a detestable mode of procedure; it tells us, that we ought to allow sick people to expire in a good warm bed, and to remove all those causes, which may shorten the period of their lives.

People are buried sometimes in five or six hours after their apparent death; yet how many examples have we seen of the principle of life existing a long time after the motion of the heart and arteries has ceased. We know that the heart generally weakens by degrees—that its power ends by not being any longer in a condition to force the blood into the arteries—that this blood flows towards the large vessels, and that the circulation ceases. But if the tonic motion still subsists, the circulation may be re-established; and it is, above all, in the exterior part of the body, that it may be put in play to act upon the blood. Being therefore excited by frictions upon the skin, and by insufflation into the intestines, according to the practice of the Acadians, it has often brought to life people taken from the water, who to all appearance were dead. But when the body is buried, the exterior parts are cold, and in a state of compression; besides it is not sufficient, that this tonic motion should be excited: one must also remove all those obstacles, which prevent it from spreading, and giving play to the organs of the pulse, and of respiration: but the pressure made upon the breast and upon the belly, while the mouth is shut, and sometimes stuffed with cotton, becomes an object almost insurmountable. The pressure upon the belly is attended with this great disadvantage, that it opposes the sinking of the diaphragm, thus preventing respiration, and, besides, compressing the intestines, which are generally the last part, in which the vital principle subsists. It results then from this precipitate custom,

either that the remains of life are sometimes extinguished, or that they are oppressed for a time, so that one never revives, but amidst the horrors of the grave.

The difference between the end of a weak life, and the commencement of death, is so small, and the uncertainty of the signs of the latter is so well established, both by ancient and modern authors, who have turned their attention to that important object, that we can scarcely suppose undertakers to be capable of distinguishing an apparent from a real death. Animals, which sleep during winter, show no signs of life: in this case, circulation is only suspended: but were it annihilated, the vital spirit, as I have said, does not so easily lose its action, as the other fluids of the body; and the principle of life, which long survives the appearance of death, may re-animate a body, in which the action of all the organs seems to be at an end. But how difficult is it to determine, whether this principle may not be revived! It has been found impossible to recal to life some animals, suffocated by mephitic vapours, though they appeared less affected, than others who have revived. Coldness, heaviness of the body, a leaden livid colour, with a yellowness in the visage, are all very uncertain signs. Mr. Zimmermann observed them all upon the body of a criminal, who fainted through the dread of that punishment, which he had merited. He was shaken, dragged about, and turned, in the same manner as dead bodies are, without the least signs of resistance; and yet, at the end of twenty-four hours, he was recalled to life, by means of volatile alkali.

A director of the coach office at Dijon, named Colinet, was supposed to be dead; and the news of this event was spread throughout the whole city. One of his friends, who was desirous of seeing him, at the moment when he was about to be buried, having looked at him for a considerable time, thought he perceived some remains of sensibility in the muscles of the face. He therefore made an attempt to bring

him to life by spiritous liquors, in which he succeeded; and this director afterwards enjoyed for a long time, that life, which he owed to his friend. This remarkable circumstance, which I was told by my father, was much like those of Empedocles and Asclepiades. These instances would perhaps be more frequent, were men of skill and abilities called, in cases of sudden death, in which people of ordinary knowledge are often deceived by false appearances*.

A man may fall into a syncope, and may remain in that condition, three, and even eight days. People in this situation have been known to come to

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* Lemnius, in the thirty-first chapter of the second book of his work, de occultis naturæ miraculis, advises interment to be delayed in cases of apoplexy, epilepsy, lethargy and hysteric suffocation, because it has often been discovered, on opening tombs, that some unfortunate people, who had been attacked by those diseases, had come to life in their graves. Lancisi, lib. xxii. cap. 46, De subitaneis moribus, mentions, upon this occasion, a law, which forbade the dead to be buried immediately, and above all, those, who had been carried off by a sudden death. The histories related by Fabricius Hildan, century second; by Cameraarius; by Herklius; by Macrobius, in his *Somnium Scipionis*; by Plato in his republic; by Valerius Maximus, and by a great many modern authors, leave us no doubt, respecting the dangers of such precipitation. Not only the ordinary signs are very uncertain; but we may say the same of the stiffness of the limbs, which may be convulsive—of the dilatation of the pupil of the eye, which may proceed from the same cause—of putrefaction, which may equally attack some parts of a living body—and of several others. Haller, convinced of the uncertainty of all these signs, proposes a new one, which he considers as infallible: “If the person,” says he, “be still in life, the

life, when deposited among the dead. When I was in Germany, a boy, belonging to the hospital at Cassel, appeared to have breathed his last: he was carried into the hall, where the dead were exposed, and was wrapped up in a piece of canvas. Some time after, recovering from his lethargy, he recollected the place in which he had been deposited, and crawling towards the door, knocked against it with his foot. This noise was luckily heard by the centinel, who soon perceiving the motion of the canvas, called for assistance. The youth was immediately conveyed to a warm bed; and I saw him afterwards, performing his duty in the hospital. Had his body been confined by close bandages, or ligatures, he would not have been able, in all probability, to make himself be heard: his unavailing efforts would have made him again fall into a syncope, and he would have been thus buried alive.

We must not be astonished that the servants of an hospital should take a syncope for a real death, since even the most enlightened people have fallen into errors of the same kind. Dr. John Schmid relates, that a young girl, seven years of age, after being afflicted some weeks with a violent cough, was all of a sudden freed from this troublesome

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mouth will immediately shut of itself, because the contraction of the muscles of the jaw will awaken their irritability.” The jaw, however, may be deprived of its irritability, though a man may not be dead. Life is preserved a long time in the passage of the intestines. The sign, pointed out by Dr. Fothergill, appears to deserve more attention. “If the air blown into the mouth,” says this physician, “passes freely through all the alimentary channel, it affords a strong presumption, that the irritability of the internal sphincters is destroyed, and consequently that life is at an end.” These signs, which deserve to be confirmed by new experiments, are doubtless not known to undertakers.

malady, and appeared to be in perfect health. But some days after, while playing with her companions, this child fell down in an instant, as if struck by lightning. A death-like paleness was diffused over her face and arms: she had no apparent pulse; her temples were sunk; and she showed no signs of sensation, when shaken or pinched. A physician, who was called, and who believed her to be dead, in compliance with the repeated and pressing request of her parents, attempted, though without any hopes, to recal her to life; and at length, after several vain efforts, he made the soles of her feet be smartly rubbed with a brush dipped in strong pickle. At the end of three quarters of an hour, she was observed to sigh; she was then made to swallow some spiritous liquor, and she was soon after restored to life, much to the joy of her disconsolate parents. A certain man having undertaken a journey, in order to see his brother, on his arrival at his house, found him dead. This news affected him so much, that it brought on a most dreadful syncope, and he himself was supposed to be in the like situation. After the usual means had been employed to recal him to life, it was agreed that his body should be dissected, to discover the cause of so sudden a death; but the supposed dead person, overhearing this proposal, opened his eyes, started up, and immediately betook himself to his heels. Cardinal Espinola, prime minister to Philip II. was not so fortunate: for we read in the memoirs of Amdet de la Houffle, that he put his hand to the knife, with which he was opened, in order to be embalmed. In short, almost every one knows, that Vesalius, the father of anatomy, having been sent for, to open a woman subject to hysterics, who was supposed to be dead, he perceived on making the first incision, by her motions, and cries, that she was still alive; that this circumstance rendered him so odious, that he was obliged to fly; and that he was so much affected by it, that he died soon after. On this occasion, I cannot forbear to add an event more recent, but

no less melancholy. The abbé Prevost so well known by his writings, and the singularities of his life, was seized with a fit of the apoplexy, in the forest of Chantilly, on the 23d of October, 1763. His body was carried to the nearest village, and the officers of justice were proceeding to open it, when a cry, which he sent forth, affrightened all the assistants, and convinced the surgeons that the abbé was not dead; but it was too late to save him, as he had already received the mortal wound.

The difficulty of distinguishing a person apparently dead, from one who is really so, has in all countries, where bodies have been interred too precipitately, rendered it necessary for the law to assist humanity. Of several regulations, made on this subject, I shall quote only a few of the most recent; such as those of Arras, in 1772; of Mantua, in 1774; of the grand duke of Tuscany, in 1775; of the Senechaussée of Sivrai, in Poitou, in 1777; and of the parliament of Metz in the same year. To give an idea of the rest, it will be sufficient to relate only that of Tuscany. By this edict, the grand duke forbids the precipitate interment of persons, who die suddenly. He orders the magistrates of health to be informed, that physicians and surgeons may examine the body—that they may use every endeavour to recal it to life, if possible, or to discover the cause of its death,—and that they shall make a report of their procedure, to a certain tribunal. On this occasion, the magistrates of health orders the dead not to be covered, until the moment they are about to be buried, except so far as decency requires; observing always, that the body be not closely confined, and that nothing may compress the jugular veins, and the carotid arteries. He forbids people to be interred according to the ancient method, and requires, that the arms and the hands should be left extended, and that they should not be folded, or placed cross-wise upon the breast. He forbids, above all, to press the laws one against the other: or to fill the mouth and nostrils with cotton;

or other stuffing. Lastly, he recommends, not to cover the visage with any kind of cloth, until the body is deposited in its coffin.

After what has been said, one may easily perceive, that precipitate interments may be attended with the most dreadful consequences; and that it would be of the greatest importance, to prescribe these remains of Judaism, or at least, not to permit people to be committed to the earth, until a sufficient time had been left, to ascertain their real situation. One can hardly reflect, without shuddering, that this practice, which is adopted by a small number of people, being unknown to some, and neglected by a great many others, may make a man descend to the grave, before he has uttered his last sigh.



Julia, or the penitent daughter. Translated from the French, of Mr. Arnaud
—Page 233.

DAUMAL was thunderstruck. Julia recovering, and throwing herself at his feet, "Yes, my brother," said she, "you see this guilty, this wretched sister, whose only hope is now in death, and whose last sigh will be for you, and for virtue. I detest these witnesses of my shame,"—tearing away her ornaments, and throwing them with indignation from her.—"My brother, I can no longer merit the name of sister; but if you love me not, at least you shall pity me. I will go, and embrace the lowest situation." Daumal, clasping her in his arms, and weeping with her, could only utter: "Oh! my sister!"—Ah! do you still call me sister, too generous brother? but speak:—my dear parents—I shudder at their very name. I see—I see them reproaching me. And have I been the death of my mother? O my brother I am not worthy of you. I will die—I will die here at your feet." Daumal lifting her up, and regarding her with a look of tenderness and compassion, "I have said, my sister, that repentance can atone for guilt. Come, let me lead you to the bed of your unfortunate father."—"What do you

say? my father!"—"Yes: he has not long to live. They had been informed of what we must forget. My poor mother died of grief, and my father came to Paris, to inform himself—to die in your arms my sister. Do not abandon yourself to despair. He will yet see you—he will forgive—he will love you.

Each kept in the other's embrace, weeping bitterly. Their tears, for some time, rendered them incapable of speaking. Julia at length found utterance: "you shall see, my brother, that I will yet be worthy of you. Why did I ever enter this fatal city? Oh, my wretched aunt, cannot I give back your perfidious favours, and return to that poverty, which was once my pride."

Julia leaves her brother. She dismisses her servants—sells her furniture—assumes the plainest dress—and hastens back to Daumal. "I have some money," said she, "my father may want it."—"Let me propose," answered her brother, with some emotion, "that it be given to the poor. May it expiate!"—"Stop, my brother, am I not sufficiently humbled? your delicacy is but too just. I was apprehensive that my father"—"While I have a drop of blood in my veins, replied Daumal, raising his voice, "I will tell it for my father; but you would wound him if"—"Say no more. I know what I am—a wretched creature—degraded from the rights of humanity. I cannot die too soon. My brother wound me not deeper yet—I have not long to live. But how will my father receive me?"—"With tenderness—as his daughter."

At this instant, an ecclesiastic enters the apartment. "I have at last found you, madam," said he. "I intreat you to follow me; you, and monsieur, your brother. There is not a moment to lose. You will restore peace to a troubled mind.—Julia and her brother yield to his earnest intreaties. The good priest leads them to a coach; they alight at the extremity of one of the suburbs; they ascend a gloomy staircase, and enter a garret, where every

thing appeared the picture of woe. A dying voice was heard: "Ah! madam, blessed be God, that, before I expire, I can implore your pardon. "See, sir," continued the dying person, turning to the priest, "see virtue itself, that I have corrupted by my abominable arts."—"Madam de Sauval!" exclaimed Julia; "in what a situation!"—"Yes, madam, I am that wretch, who plunged you into an abyss of vice. I have received my punishment in this world, the dreadful forerunner of eternal anguish. You see my deplorable poverty. It is all the fruit of fifty years, spent in criminal intrigues. There is not a day in my life that will not rise up in judgment against me. I knew, madam, that you had found your brother, and that you had returned to virtue—to that God, who punishes me, and from whom I had torn you. Your penitence will disarm his anguish; but, ah! wretched me! what can I hope from his mercy? Pardon is not for me. I am rejected—I am cut off for ever."

The charitable priest endeavours to console her, and speaks of a merciful God, infinite in goodness, and ever ready to hear the cries of his penitent creatures. Madam de Sauval heard him with attention, kissed the crucifix with transport; then, raging again with all the fury of despair, pushed it away: "He cannot—he cannot pardon me. I hear my sentence! I see the gulph—it opens—it swallows me up. See! they drag me—where will you hide me? whither shall I flee?"

The wretched woman, all pale, trembling, distracted, sprang towards Julia, who, compassionating her extreme misery, could now see only the unfortunate woman in the perfidious friend, who had seduced her. She wept over the dying sinner. "Do you not see him?" said the terrified Sauval. "Compose yourself," answered Julia: "recollect me. I am deeply affected by your misery, and would do any thing to mitigate it."—"Ah! is it you, madam, you, whom I would have ruined

with myself?" then, turning to Daumal, "sir, in this dying moment, I declare that I alone am guilty, I practised every art, to tear your sister from her family, from virtue, and from that religion, whose power I now severely feel." "Speak not of our crimes," interrupted the weeping Julia: "let us think only of appeasing the wrath of heaven! Alas! had I been as virtuous as you imagine, I should never have deviated from the paths, into which an irreproachable family had led me." Then instantly falling on her knees, "O my God," said she, "here I implore our pardon. We have each sinned against thee. O hear our supplications. Join your prayers, madam, to mine. Heaven will have mercy on us. Our remorse, our anguish, will not be unavailing."

The priest and Daumal stood in silent astonishment at this moving scene. What, indeed, could be more affecting, than to see a young person in the pride of beauty, penetrated with remorse, all bathed in tears, and in the deepest humiliation, addressing herself to heaven, with that fervour, of which the world can have no conception!—Daumal would have raised his sister.—"No, my brother," said she, "I can never shed tears enough. Ought I not to have had the courage to resist, to struggle, to prevent this unhappy woman from rushing to her ruin? The daughter of monsieur de Gourville should have served for an example, and have restored those to virtue, who had unfortunately strayed from her paths."

Madame de Sauval relapses into her terrors. The horrors of death are already imprinted on her countenance. The priest sprinkles the holy water over her. Her agitations increase. Her hair stands erect. She exclaims, "save me, save me; I burn; the flames devour me; O God! thou hast condemned me; I fall—I roll in the gulph: O help me!" and with these words the wretched votary of vice expires.

"O my God," said Daumal, "and is this the end of vice? what terror and despair attend its last moments!"

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How unlike the death of the righteous ! with what cheerfulness and serenity, the good man gives up his soul, as a deposit which heaven had entrusted to him ! by the dreadful scene, my sister, to which we have been witnesses, we may estimate the happiness of the rich and gay, who boast of uninterrupted prosperity, and whom we often unwisely envy. What thinking person would desire fifty years of a life, in which riches and pleasure had infused every charm, to be terminated by such a death as this ? And though the wicked should receive no other punishment, than the continual anxiety inseparable from their existence, who would not prefer the sweets of a good conscience, and a virtuous poverty, to all the splendours of their momentary career ?

They leave this scene of woe, and arrive at the lodging of monsieur de Gourville. There was a small chamber at the entrance of the apartment, where the venerable old man was laid. Daumal enters. Julia would have followed him, but he stops her : " My sister, stay here a little while. "—" What ? delay a moment to throw myself at my father's feet ! "—" You shall see him, my sister ; but you may conceive—spare me the pain of recalling—this interview requires some preparation. "

" Some preparation ! " thought Julia : " Ah ! now I see, to what my guilt has reduced me ! a child to delay the moment of appearing before the paternal regards ! to be apprehensive of offending them ! Ah, wretched Julia, are you not miserable enough ? "

The door is opened, Julia perceives a person leaving the apartment. She instantly screams out, and would fain conceal her face. It was Marianne, the faithful Marianne, who had attacked herself, more than ever, to monsieur de Gourville, who wished to die in his service, and had once seen Julia virtuous. " Is it you, madam ? " she exclaims. The unhappy Julia was overwhelmed with the consciousness of her situation, " Yes, Marianne, " she answered, " it is I—who dare not look you in the face. Oh ! how your pre-

sence humbles me ! your life has been unfulfilled. "—

She had not strength to proceed. Marianne flung her arms round Julia's neck, and wept profusely. " O my child, my child, " said she, " forgive this emotion ! how much have you grieved us all ! Alas ! madame could not survive it. She died, calling upon you, and beseeching heaven that she might once more embrace her child. She pitied you. It was madame de Subigny, who has undone us all. But, my dear mistress, do not give way to despair. Your father will see you again—he will forgive you. And is not God all merciful ? "

While the good Marianne wept over Julia, Daumal was preparing her venerable father for the sight of his unhappy child. The recollections of his dishonoured family struggled for some moments in his aged breast. At length parental love conquered. " And say you, my son, " said he, " that she is truly penitent, " " Yes, " answered the excellent youth, " her heart is torn with unutterable anguish. She lives but to see you—to implore your forgiveness—and to die at your feet. "—" Ah ! my son, " returned the good man, " how much need have I myself of forgiveness ! could I but hope, that God had touched the heart of this unfortunate child ! bad example, and her tender age, may have led her, more than her heart, into the paths of vice. But where is this daughter, who was once so dear to me ? "—" At your feet, " exclaimed Julia, who had heard these last words, and thrown herself at the side of the bed, " at your feet my father, overwhelmed with the enormity of my guilt, and imploring your forgiveness. "—" My daughter ! " said monsieur de Gourville, " my daughter ! "—" Oh ! I am unworthy of this name. I have dishonoured my family. I have been wanting to every thing that is dear and sacred. I have killed my mother ! O my father, my father, I beseech God and you to forgive me. God will not refuse to pardon me. O my father, do you also forgive me ! "

Monsieur de Gourville, incapable of utterance, beheld her, for a moment, with an air of mingled pity and hesitation; and then affectionately held out his hand. She kissed it, and wetted it with her tears. At length the good old man exclaims: "My daughter! may God forgive you, as I do!" Julia could only utter: "O my father, you do not then cut me off—you forgive me. I shall yet die with the name of your daughter."

Julia never quitted the bed-side of this excellent parent, who would weep with his repentant child, and fold her in his arms, and weep again. The moment of his dissolution at length approaches. "My children," said he, "forget not that you are christians. Look up to heaven. There you will meet with unfading joys, that will recompense you for all the disappointments and vain illusions of life. Death is nothing in itself. It is our future destiny only, that should engage our attention. I commit mine into the hands of my God. He enables me to die content, since I have found my dear daughter, who sincerely deplores her errors. You see, my Julia, my daughter, that the gayest visions of the world can never be compared to the sweets of a good conscience, and the solid enjoyments of self approbation. O my God," continued the dying man, "my best benefactor, finish thy work. Withdraw not from her, I beseech thee, thy powerful and consoling grace. O protect my children, and let them find a father and a refuge in thee."

Never did the christian more forcibly display the dignity of man. A sweet serenity in his face bespoke all serene within. "His comforters he comforted;" and blessing his son and daughter, and recommending the faithful Marianne to their protection, he expired in their arms, as if falling into a gentle sleep. How different such an end as this from the dreadful exit of the wretched Sauval.

Daumal and Marianne experienced all the emotions of grief. The anguish of Julia was unspeakable. She threw

herself on the corpse. "My father," she exclaimed, "it is your wretched daughter, that has hastened your dissolution. This crime was yet wanting, to complete my guilt. No," said she to her brother, who would have forced her from this situation, "you shall never separate me from the best of fathers. The grave is now my only refuge. O my brother, do not take from me the consolation of dying with my father."

The last duties being rendered to monsieur de Gourville, Julia, from that moment devoted herself to a convent. She chose that rigid order in which the sisters sleep every night upon their bier. To this convent, Marianne accompanied her, in the character of a lay-sister*. Here they were examples of the most fervent piety.

The virtuous Daumal often visited his sister. She assured him, that she dated the commencement of her happiness from the moment that she entered the cloyster. "O my brother," would she say, "how wretched were the joys, that once fascinated my soul, compared to the pure serenity I find in the contemplation of God! Here I meditate on the mercies of that gracious Being, who has deigned to recall me to himself. Once I thought that madame de la Valiere, retired from an enchanting court, forgotten by the most powerful of monarchs, and practising the extreme austerities of penitence, was the most wretched of women. Ah! my brother, how I deceived myself! Sister Louisa † was supremely happy. Can the smiles of kings be compared

NOTES.

* The lay-brothers and sisters in a convent perform all the menial offices.

† Sister Louisa was the name which the duchess de la Valiere, mistress of Lewis XIV. assumed, on quitting the world, and entering into a convent of Carmelites. When this lady, so celebrated for her penitence, was informed of the death of one of her sons by the king, she exclaimed: "It is his birth, not his death, that ought to grieve me."

to the favour of God? When I was encircled by the gaieties of the world, an inward uneasiness embittered my happiest moments; and my conscience continually whispered to me, that I was guilty and wretched. Here I begin and finish the day, with the sweet impressions of that felicity, which is undoubtedly a foretaste of what will be unmingled and undecaying. Far different from that Julia, who dreaded solitude as insupportable, I long for the delightful moments, when I can enter into myself. My thoughts are raised to the sublime and affecting views of immortality. I throw myself on the divine goodness, humbly trusting, that my sorrow, my tears, and my unfeigned love of the best of Beings, will yet expiate my guilt. May I die in this humble hope! I am impatient to rejoin my father. And, O my brother, I shall yet see him. God will reward his virtues, and his sufferings, with the gracious pardon of her, whom dying he forgave."

Such were the new life, and the heavenly conversations of Julia. One day a person came to the convent and desired to speak to her. She was inquisitive to know who this person was; but the stranger had refused to mention his name, or the reason of his visit. She hesitated at first, whether he should be admitted. A sudden impulse determined her. "Perhaps," said she, "it is some unfortunate person, who has need of consolation. If I cannot render him quite happy, I may wipe away a few tears at least, and make him feel the joys of our holy religion."

When the stranger was admitted, what a pale, emaciated, dejected form, did she behold! It was the marquis de Gerneuil, the wretch who had triumphed in innumerable seductions.—"What!" exclaimed Julia, starting back with terror, "is your perfidy to pursue me into this sacred retreat?" "I come," answered the marquis, "to implore your pardon for my baseness to you. In me you behold the vile author of your misfortunes. I employed every guilty art, to accomplish my

views. Your example has taught me, what happy realities are Religion and Heaven. I tremble at my danger; and I hasten to some religious retreat, where I may incessantly deplore my guilty life. I will give my whole fortune to my relations; but I could not think of bidding an eternal adieu to the world, without first seeing you—to tell you, that my conversion is your work." "O my God!" said Julia, lifting up her eyes to Heaven, "thou crownest me with thy loving kindness! With what joy, sir," added she, addressing herself to the marquis, "do I perceive you penetrated by these sentiments! But, if you will be advised by me, dare to remain still in the world, that you may be an example of eminent piety, and active goodness. You, sir, are known, and have an ample fortune. I was an unfortunate woman, without a name that could invite respect. I had no other alternative, than to retire from the world; but it is your duty to be an object of instruction to all around. You talk of giving up your fortune to your relations! Ah, sir, do not put so low a value on the happiness of being able to relieve the wretched! Your family are in affluent circumstances. Relieve those unhappy persons, who may lay their distresses before you; the orphans, who demand a father in you—the unfortunate young women, whom cruel necessity"—Here Julia stopped, unable to refrain from tears. "Go," she resumed, "and learn the spirit of pure and undefiled religion. Let beneficence be added to prayer; and be assured, that the Father of mercies will not fail to regard that contrition, of which this is the best evidence you can give."

The marquis was in a kind of ecstasy. He embraced the life which Julia recommended. He lived some years a sublime example of every virtue. A fatal disease at length attacked him, and he died with all the piety of a christian, who has made his peace with God, not by a few transient resolutions, but by a continued series of active virtue. Before he expired, he wrote a letter to Julia, which she had ever after

before her eyes. Never was religion expressed with such fervour, with such energy, and with such a charm.

Julia persevered in this course of piety 25 years, so much the more admirable in her, as with whatever severity this worthy nun regarded herself, she treated all others with indulgent mildness. This is the character of true devotion. False piety, on the contrary, is distinguished by insupportable ferocity, devoid of all tenderness towards the frailties of others. A stranger to that spiritual pride, which would render virtue herself unlovely, Julia practised all the humility that her outward demeanor announced; and at the end of many years of exemplary penitence, she still recollected her errors, and deeply deplored them.

The awful moment at length arrived when every thing disappears from mortal vision. Marianne performed the last offices to her dying mistress, now her sister, her friend, and soon to be her fellow angel. The nuns, all dissolved in tears, watch her expiring looks—her words—her happy exit. Julia alone displayed that magnanimity, which springs from a more sublime religion, and which the wisdom of the world can never give. She expired in the arms of her faithful Marianne. Her brother was inconsolable; and Marianne soon followed her mistress to the grave. Her end was equally edifying. Devoid alike of weakness and ostentation, she died as every true christian ought to die.

Description of a North Carolina ordinary (or inn).

THE first thing, that strikes your attention, after emerging from the woods, is a small building, either of logs, or a frame, weather-boarded, and without walls. The whole house commonly consists of but one room, and the whole furniture, in that room, of some benches, a miserable bed, and a large pine chest, which has a lock and key, and contains the clothing and victuals of the family. You may always know an ordinary, at ever such a dis-

tance, by the pipe of the chimney not being carried above the roof. Just before the front door (and indeed the only door in the house) stands an oven composed of clay, under and about which are commonly seen a parcel of black hogs indulging themselves in the sun.—Oats in these parts is the rarest thing in nature, if you can procure some Indian corn and blades for the animal that carries you, you may set yourself down in your journal for one of fortune's favourites. If you be under a necessity of putting up for the night, you may think yourself happy to procure a blanket: and as to a pillow, the saddle must be a substitute; for a pillow, in these places, would be deemed a dangerous luxury. If it be winter, you lay yourself down by the fire; if summer, the best way is to lie out of doors with the blanket stretched over you, on four small stakes, to cover you from the dews, and avoid the persecution of the fleas. Whether you call for breakfast, dinner, or supper, it is all one; the constant fare is bacon and eggs. No sooner are you seated at the table with your meal before you, than the house dog—for the most part of the large wolf breed—comes and sits down by you, and looks directly up in your face. The young children of the house, at the smell and sight of the victuals, instantly set up a yell, until they are appeased by the hostess, who quiets them by saying, "They shall have some when the gentleman is done;" which is, by the bye, a hint to you, not to eat too much. By this time a number of young cats are clawing at your elbow, and as it were putting you in mind, that they ought to come in with you for snacks; and if you be not very circumspect, some of the more enterprising among them will leap up in an instant, and unlesh your fork with as much dexterity, as if they had served seven years apprenticeship to the business. As to conversation with the innholder, it is generally of a very contracted nature—complaints of the high price of New-England rum, and the very dull market for pitch, turpentine,

tar, or tobacco. Little information or amusement then being to be got in this way, the best thing you can do, after you have dined, is to order your horse to be fed, and stand by, yourself, the whole time, with a cudgel; otherwise the poultry, like so many harpies, will not leave the horse one grain in five hundred.—*Probatum est.*

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Remarks respecting the Isthmus of Darien.

UPWARDS of one hundred years ago the Scots people had so just an idea of the great importance of the Isthmus of Darien, that they sent out a colony to settle there, which settlement, nevertheless, proved abortive, partly through the extreme jealousy of the Spaniards in that neighbourhood and old Spain, and partly from their being so feebly supported by the country to which they belonged*. This celebrated Isthmus lies in about eight degrees of northern latitude, and in the narrowest part is not more than 70 English miles across, on an E. N. E. and W. S. W. course. The country hereabouts is either low and sickly valleys, or mountains of so stupendous a height, as to incline one to think, that nature has raised them to serve as eternal barriers between the Atlantic and Pacific Oceans, which here approach so near together, that from these mountains you can plainly discern the waters of both at the same time, and seemingly at a very trifling distance. There have been some speculatists, who have imagined the practicability of joining these two immense oceans, for the purposes of navigation, by digging through this Isthmus. One of our countrymen, however, from a late and careful survey, in a disguised character, pronounces such an undertaking beyond human power. The mountains do not

run east and west, like those in the West India islands, with long deep vallies between them, and parallel thereto, which might afford a bed for canals; but, on the contrary north and south, or nearly so; from which circumstance the canal must be dug through several vast ridges of mountains, consisting of little else than solid rock and immense beds of oyster shells, which would baffle the united efforts of the whole world to succeed in. Notwithstanding this bar to improvement, by going into 12 degrees north latitude, and joining the head of Lake Nicaragua to a small river that falls into the great Western Ocean, the matter becomes practicable, and by 30 miles digging through a flat level country we at once join the two oceans, and save a navigation of 10,000 miles round Capehorn. What would be the remote consequences of such a junction, is not easy to say with precision: but it seems highly probable, that a very small canal in this place, would, in the course of a few years, be formed into a large deep river; more especially, when we consider, that the waters, on the opposite shores of the Atlantic, are, without doubt, considerably higher than those in the Pacific, owing to the trade winds, which prodigiously accumulate the waters through the whole of the Mexican gulph and the parts more southward. Neither is it improbable, that such a junction would, in the course of time, wear away the whole Isthmus, and form an immense streight of communication between the two oceans: in which case the Gulph Stream, on the coast of North America, would cease, and a voyage round the world become an inconsiderable thing. An attempt of this kind, however, must be left to the strength and ingenuity of other ages. The nations of the world are at present too much divided, and the population of America too inconsiderable, to undertake such matters. When that country becomes its own mistress, and by her immensely superior natural advantages, perhaps gives law to Europe; then, and only then, shall mankind be capable of effecting changes and revo-

NOTE.

* *The jealousy of the English nation, and the shameful partiality of William III. were the principal causes of the ruin of this settlement.* C.

lutions in the works of nature, which we of the present age are apt to suppose that only nature herself is able to accomplish.

London, 1790.

Further remarks on the same subject.

From the (Philadelphia) GENERAL ADVERTISER.

THE writer of the above remarks, mentions two advantages that would arise, if a channel of communication between the two oceans were cut thro' the Isthmus of Darien. He seems, however, to doubt the possibility of effecting such a work now, and is inclined to leave it to be accomplished by future ages: He says, "the nations of the world are at present too much divided, and the population of America too inconsiderable, to undertake such matters." I differ in opinion with him here, and think, that however divided the nations of the world are at present, they can plainly be convinced, that their several interests unite in procuring a passage: and if this can be done, they will soon agree and set about the work. I send you a paper I had written on this subject some time ago—insert it, and you will oblige.

H.

A PROJECT

To put a stop to the Gulph stream, enlarge the West India Islands, &c. &c.

THE waters in the gulph of Mexico are considerably higher than the Pacific ocean; owing to the trade winds, which blowing from the east, heap them up, and force them to escape through the straits of Florida, thereby occasioning what we call the gulph stream.

By cutting a passage across the Isthmus of Darien, or rather through a flat country between the head of lake Nicaragua to a small river that falls into the great Western ocean, in 12 degrees north latitude, the waters of the gulph would rush through the opening, and by degrees wear a free and wide channel, till the two oceans would become nearly on the same level.

The navigation to the East Indies

would be shortened near ten thousand miles.

The waters would recede from the coasts all round the gulph: and increase the territories of the bordering countries.

The West India islands would grow every day while the channel was wearing.—Mariners would no longer be carried by the gulph stream from Florida to Newfoundland. Let all the nations who have concerns in the West Indies, viz. the English, French, Spanish, Dutch, Danish, &c. unite with those who wish a passage through the Isthmus, viz. the Americans, &c. and all those who navigate our seas, to bear the expenses of the undertaking, and it may soon be completed.

The projector, for communicating this advantageous plan, will only lay claim to such islands as may chance to pop up in the gulph, in the course of the work.

The idea of putting a stop to the stream, and opening a passage to the East Indies is old; but the reward I ask, is for communicating the means of increasing the countries bordering on the gulph, as well as the West India islands. The claim I make to the islands to be, is well founded. I first discovered them; and if my plan be adopted, I can with justice, say they are mine, for they are my handy work.

H.

Remarks on female honour.—By the rev. Joseph Lathrop, Springfield, Massachusetts.

"SHE heard me thus: and though divinely brought,
 "Yet innocence and virgin modesty,
 "Her virtue, and the conscience of her worth,
 "That would be woo'd, and not unthought be won,
 "Not obvious, not obtrusive, but retic'd,
 "The more desirable—or to say all,
 "Nature herself, though pure of sinful thought,

"Wrought in her so, that seeing me,
she turn'd ;

"I follow'd her ; she what was honour
knew."

MILTON.

THE Spectator tells us, that the company of stationers, who had a patent for printing the bible, in the reign of Charles I. committed an egregious blunder in the seventh commandment, by leaving out the word *not* ; and that several thousand copies were printed off, before the omission was discovered. The Spectator expresses his apprehension, that the profligates of both sexes were possessed of some copies of that spurious edition ; and governed themselves according to the said faulty reading.

And to speak the truth, I am much afraid, that the edition, ancient as it is, is not entirely extinct. The confessions of young maids at the sessions, their suits for the maintenance of illegitimate, frequent accelerated marriages and early births, not to mention advertisements of wives, who have strayed from their husbands, or eloped, as I think the term is, give us reason to suspect, that some crafty rogues, who have found the virtue of the fair sex impregnable to their bolder attacks, have surreptitiously introduced, and dispersed among them, several of these adulterated copies, with a base intention to undermine the fortress of female virtue, which they could not carry by regular approaches.

Sacred writ informs, that "the first woman being deceived, was in the transgression." The case is still the same with her daughters. Deception must be the cause of the particular transgression, which I am now speaking of ; for on *their* part, it can not possibly proceed from any other cause.

If the rogues, who have thus imposed on the honest and obliging credulity of the virtuous fair, could be detected, it would be proper to punish them soundly. But as this can hardly be hoped, the only remedy is, to guard our females against those treacherous arts. Be it therefore known and remembered, that the reading above re-

ferred to, is faulty and erroneous ; and that the seventh commandment originally was, and ought still to be, read, understood, and observed, not affirmatively, but negatively ; and let all concerned govern themselves by it in future, as containing the word *NOT*.

Since I have said thus much in defence of the fair, I would also recommend to them, to act in their own defence. Let them retain a sense of their native dignity, and their high importance in society ; let them consider their unquestionable capacity, to judge what is amiable and virtuous, and their indefeasible right, in all matters of moral conduct, to follow their own judgment ; let them reflect, how much the virtue and happiness of mankind depend on them ; let them remember, that the greatest reverence and respect is always paid to female virtue, but contempt and infamy invariably follow the want, and even a suspicion of the want of it.

Chastity is as much the glory of a lady, as courage is the glory of a gentleman. We as heartily despise all forward obtrusive airs, all indications of impudence and immodesty in the fair, as they despise all appearances of cowardice and pusillanimity in us. They cannot be more reluctant to put themselves under the protection of a man, who has not courage even to defend himself, than we are to unite ourselves for life to a female, of whose virtue and fidelity we do not think ourselves secure.

The experience, which many of the tender sex have had, of the infidelity of those, to whom they have too easily yielded their honour, and of the misery and disgrace, resulting from their ill-placed confidence, should make the whole sex cautious, how they put themselves in the power of men, who wish to take such dishonourable possession.

However base it may be for a man, to abandon to misery an unsuspecting creature, whom he has previously deluded by fair pretensions, yet few men will think themselves bound to regard the honour and happiness of a woman, who shows but little regard to her

own : and be sure the man who is base enough to attempt her disgrace, can seldom be trusted to repair her ruined reputation.

Let the fair ever remember, that their peace, dignity, and character, chiefly depend on themselves ; and that no confidence is to be placed in a man, who is himself so destitute of virtue and honour, as to attempt to seduce them from the strictest purity. Let them with honest indignation, repel every insult on that virtue, which is their chief glory, and manifest a noble resentment of all such approaches as imply even a suspicion that they can be debauched.

However light some may affect to make of the evil in question, there is hardly any one thing more pregnant with mischief to the parties immediately concerned, especially to the female—to families, with which they are connected—and to society itself. How unhappy is the tender creature, first disgraced, and then abandoned ! The man, who has ruined and forsaken her, is unfortunate through life. He appears like one conscious of guilt, and haunted by the ghost of that virgin-honour, which he has murdered. And even marriage, the proper remedy, cannot always repair the evil. Those, who are urged into the connubial state, rather from a kind of supposed necessity, than from settled affection and deliberate choice, experience little of the felicity, which that state was designed to yield. And those who are precipitated into it, before they have capacity to provide for, and educate a family, usually bring forward a new race, to grow up without virtuous principles, to live useless to mankind, to contaminate those around them, and to transmit their own corruptions to another generation.



Remarks on elections—and on voting by ballot and viva voce.

THOUGH the united states have made the greatest improvements in the science of government, and have

carried the democratical form, in particular, to much higher perfection than it had before attained ; there still remain, in some of the states, very striking abuses, that call loudly for redress. One of these is the practice of voting, viva voce, in popular elections. This abuse strikes at the very root of all good and free governments—and poisons the very source from which it flows.

It is impossible in this manner of voting, that elections should be free. A candidate, who has great wealth and influence, on whom the livelihood of many may depend, will inevitably awe all his dependents to support him.—Men, who owe to him their employment, or have received his bribes, dare not openly oppose him. Even a man's friends—those who are not dependent upon him, but are only in habits of intimacy—cannot well refuse to support him, lest this should interrupt the intercourse that subsists between them.—Whenever, too, the popular current runs violently in any particular direction, it is hardly safe to bear up against it. Many, who think differently from the great body of the people, will be reluctantly hurried down the general stream. Many, rather than come forward openly to avow their sentiments, will consent to wave their privilege of voting.

We see sometimes, as in Baltimore very lately, that out of several thousand votes, all, except two or three, are in favour of the same persons ; though the very connexions and intimate friends of the opposite candidates must have amounted to a considerable number—and all those who favoured their interest, to many hundreds.

This method of voting will inevitably introduce corruption and intrigue into our elections. This is, undoubtedly, one cause of the corruption of the elections in Great Britain : and in some parts of the united states, where this method is adopted, the elections, in some measure, resemble those of England. They are little better than an auction, where the post is set up to public sale, and is struck off to the highest bidder.

A candidate, who bribes an elector, has in this way a much greater hold upon him, and is much more secure of his vote, than in elections by ballot: because he knows whether the elector answers the confidence reposed in him, and often has it in his power to show his resentment, if he be disappointed. Besides, the elector would feel a secret shame, in being known to have received the presents of a candidate, for which his vote was expected as a recompence, and afterwards to have bestowed it upon another. There is a kind of tacit contract or trust, which, however improper it may be for the elector to enter into, he cannot escape some degree of dishonour in breaking.

The difference between the states that make use of these two methods, is very striking, and places their true influence in the strongest light. In this state, and in those that follow her example, it would be exceedingly indelicate, and indeed would be considered as great presumption and effrontery for a man to come forward and hold himself up to the public, as qualified for the higher posts of the government, and endeavour to procure interest. In some parts of the united states, where they vote viva voce, men, instead of being brought forward by the voice of their country, or their friends, publicly advertise themselves, openly solicit interest, and ride about the country to beg and buy all the votes they can collect! And to close this indecent scene, the candidates, while the election is going on, are frequently seated upon the hustings, exposed to public view, to tamper with every elector that comes to vote.

With us, wealth, if not attended with some degree of ability, is no recommendation to a candidate: there it is the great, sometimes the only requisite.—That person in the county, who is able to lay out most upon his election, stands the fairest chance of being its representative. A man who steps into the possession of a large fortune, however insignificant, for his ignorance and vanity—however unfit for any trust—

for any thing but gaming, drinking, or horse-racing—may, by keeping open houses throughout the county, and spending a few hundred pounds, ensure his election.

It is earnestly to be wished, that this mode of electing may be expelled from every part of the united states: should it continue, the corruption it introduces, will constantly increase, and will in time extend itself to those parts of the union where it is now unknown.

Philadelphia, Nov. 25, 1790.



Thoughts on the progress of manufactures.

TO observe a progress in our arts and manufactures must give pleasure to every American. Musical instrument making is now carried to great perfection in this city. An ingenious artist has lately executed several forte-pianos, in point of workmanship, nothing inferior to those imported. Independent of the encouragement which every American would naturally be inclined to give to home manufactures—these instruments, on another account, claim a decided preference. The wood, which enters into the composition of imported instruments, seasoned in London will not stand this climate. It is well known, that the air of that capital is more moist than ours; of course the imported instrument will crack and split, when once affected by our drier air.—Another objection can reasonably be made to imported forte-pianos. They are kept together with nothing but glue. Screws are also absolutely necessary, that they may stand the sudden changes here from drought to humidity and back again.

Experience corroborates this theory: imported forte-pianos require frequent repairs, and in a few years are unfit to use.

These objections are removed by the care our artist takes in seasoning his wood, and in strengthening every part of his work with substantial iron screws.

Philadelphia, Nov. 1790.

A hint to chemists.

THE present method of obtaining the vitriolic acid, is attended with such great expense, that few are able to carry on a manufactory of it. The great desideratum is to maintain the combustion of the sulphur by a constant supply of air, with little expense.

May not this air be supplied in the following simple manner? Let the sulphur be burnt in a common chimney, and the fumes, instead of flying into the air, be carried into a room twenty, thirty, or forty feet above the hearth of the chimney, by a pipe communicating with the chimney and room.

*A useful hint to apothecaries.*

FATAL accidents have sometimes happened by mistaking cream of tartar for tartar emetic. Would it not be worthy of attention to guard against the probability of an evil, so horrible in its consequences? The error usually arises from a resemblance, both in name and colour, between these drugs; although the one is an innocent medicine, and the other a deadly poison.

I would therefore propose, that some other technical name should be adopted instead of tartar emetic; and the drug itself be disguised by colouring it with something that should not sensibly alter its qualities, and yet give it a manifestly different appearance.

As our apothecaries may possibly be too busy to attend to this precaution, may it not be worthy the notice of the college of physicians, who may thereby be the means of sometimes saving the life of a fellow-citizen? H.

*Of the enormous bones found in America.*

BETWEEN 30 and 40 years ago, at a salt lick near the banks of the Ohio, the remains of several skeletons were discovered, which demonstrate the former existence of animals very far surpassing in size, any at present known. There is now in the museum at Yale

college, teeth of a monstrous magnitude, sent thither from Muskingum by the late general Parsons. The one which the writer of this account saw, was upwards of 15 inches in circumference, and, including its fangs, 12 or 13 inches in length.

In the year 1783, as a labourer was ditching a bog-meadow belonging to a clergyman at Little Britain in Ulster county, he found a mass of bones, not two feet beneath the surface of the ground, of the same kind probably with those observed at the Ohio; they were of a black colour, but very hard, and the shape perfect. A German physician, then with the British army at New-York, just before its departure, procured and took them all to Europe. Gentlemen of the first character in this country, saw them, and declare that they were astonishingly large. The thigh bone, in particular, a gentleman measured, and found it 35 inches in circumference.

It is impossible to arrive to the knowledge of the magnitude of an animal from an imperfect skeleton; but no one can hesitate supposing, that the most gigantic quadrupeds at present known, are mere pigmies compared to some of the former tenants of our western world; but of these perhaps nothing more will ever be discovered than the memorials above related, and the following tradition existing among the natives. It is given in the very terms of a Shawance Indian, to shew that the impression has been most forcible.

“Ten thousand moons ago, when nought but gloomy forests covered this land of the sleeping sun, long before the pale men, with thunder and fire at their command, rushed on the wings of the wind to ruin this garden of nature—when nought but the untamed wanderers of the woods, and men as unrestrained as they, were the lords of the soil—a race of animals were in being, huge as the frowning precipice, cruel as the bloody panther, swift as the descending eagle, and terrible as the angel of night. The pines crashed beneath their

feet, and the lake shrunk when they slaked their thirst; the forceful javelin in vain was hurled, and the barked arrow fell harmless from their side. Forests were laid waste at a meal—the groans of expiring animals were every where heard; and whole villages, inhabited by men, were destroyed in a moment. The cry of universal distress extended even to the region of peace in the west, and the good spirit interposed to save the unhappy. The forked lightning gleamed all around, and loudest thunder rocked the globe. The bolts of heaven were hurled upon the cruel destroyers alone, and the mountains echoed with the bellows of death. All were killed except one male, the fiercest of the race, and him even the artillery of the skies assailed in vain. He ascended the bluest summit which shades the source of the Monongahela, and, roaring aloud, bid defiance to every vengeance. The red lightning scorched the lofty firs, and rived the knotty oaks, but only glanced upon the enraged monster. At length, maddened with fury, he leaped over the waves of the west at a bound, and this moment reigns the uncontrolled monarch of the wilderness in despite of even Omnipotence itself."

Plan for liberating the negroes within the united states. By Mr. Ferdinando Fairfax.

THIS subject has afforded, in conversation, a wide field for argument, or rather, speculation, both to the friends and opposers of emancipation. Whilst the former plead natural right and justice, which are considered as paramount to every other consideration: the latter insist upon policy, with respect both to the community and to those who are the objects proposed to be benefited: the one party considers liberty as a natural right, which we cannot, without injustice, withhold from this unhappy race of men: the other, at the same time that it admits these principles, opposes a general emancipation, on account of the inconveniences which would result to the community and to the slaves them-

selves, and which, consequently, would render it impolitic; besides the injustice which would be done to individuals by a legislative interference (without voluntary consent) in private property, which had been acquired and possessed under the laws of the country. But no practicable scheme has yet been proposed, which would unite all these principles of justice and policy, and thereby remove all ground for opposition: all that has hitherto been offered to the public upon this subject, has been addressed, rather to the feelings, than to the cool and deliberate judgment. The following plan is therefore submitted, without apology, since it is only intended to suggest the idea, which may be improved by some abler hand.

It seems to be the general opinion, that emancipation must be gradual; since, to deprive a man, at once, of all his right in the property of his negroes, would be the height of injustice, and such as, in this country, would never be submitted to: and the resources of government are by no means adequate to making at once a full compensation. It must therefore be by voluntary consent—consequently in a gradual manner. It is equally agreed, that, if they be emancipated, it would never do to allow them *all* the privileges of citizens: they would therefore form a separate interest from the rest of the community. There is something very repugnant to the general feelings, even in the thought of their being allowed that free intercourse, and the privilege of intermarriage with the white inhabitants, which the other freemen of our country enjoy, and which only *can* form one common interest. The remembrance of their former situation, and a variety of other considerations, forbid this privilege—and as a proof, where is the man of all those who have liberated their slaves, who would marry a son or a daughter to one of them? and if he would not, who would do that little prejudice, sentiments, or whatever they may be called, would be found to operate so powerfully as to be insurmountable. And though the laws

should allow these privileges, yet the same effect would still be produced, of forming a separate interest from the rest of the community; for the laws cannot operate effectually against the sentiments of the people.

If this separate interest of so great a number in the same community, be once formed, by any means, it will endanger the peace of society: for it cannot exist between two neighbouring states, without danger to the peace of each—How much less, then, between the inhabitants of the same country?

This suggests the propriety, and even necessity of removing them to a distance from this country. It is therefore proposed,

That a colony should be settled, under the auspices and protection of congress, by the negroes now within the united states, and be composed of those who already, as well as those who, at any time hereafter, may become liberated by the voluntary consent of their owners; since there are many who would willingly emancipate their slaves, if there should appear a probability of their being so disposed of, as neither to injure themselves nor the community. As an additional inducement, government may, as the resources of the country become greater, offer a reward or compensation, for emancipation. There is, however, in the mean time, a sufficient number to form a very considerable colony.

That congress should frame a plan, and appoint the proper officers for the government of the colony in its infant state, until the colonists should themselves become competent to that business.

That there should be suitable provision made for their support and defence. And

That, to forward their progress in the useful arts, and to qualify them for the business of legislation; a considerable number of those who are intended to be sent over after the first settlement, should be properly educated and instructed; and that one of the first objects should be the establishment of

minaries in the colony for a like purpose.

That the seat of this colony should be in Africa, their native climate, as being most suitable for the purposes intended. They will there be at such a distance as to prevent all the before-mentioned inconveniences of intercourse, &c. at the same time that they are situated within the neighbourhood of other nations of the same kind of people, with whom they may, after a little time, maintain the most intimate intercourse without any inconvenience. They will still have a great superiority over their neighbours, on account of their knowledge in the several useful arts, and as they gradually advance in importance, will, by their influence, diffuse this knowledge among this rude race of men. Nor ought we to consider as of little importance, the tendency that this settlement would have, to spreading a knowledge of the christian religion among so great a proportion of mankind, who are at present ignorant of it—and that too in the most effectual manner.

With respect to ourselves, we might reap every advantage that we could enjoy from the settlement of any other colony—if not more. They would require our support and protection for a short time only, with fewer supplies of necessaries than any other (from the nature of the climate.) And they might soon, from their industry, and by commercial intercourse, make us ample amends for our expenses, and be enabled to live without our protection; and, after some time, to become an independent nation. But if we should gain no advantages, we should still accomplish the object intended.

Many difficulties and objections may be urged against this plan; but none, that are not equally forcible against the first planting of any other colony; and had they been fully admitted, neither this country, nor any other colony, would ever have been settled.

It may be said, that England, not long since, made an experiment of this kind, which was found not to succeed.

But this can, by no means, be admitted as decisive: the number they sent over, was very small, compared to what we should be able to send: and perhaps, the means they adopted were incompetent to the accomplishment of the object. But did not the same thing occur in the first settlement of Virginia? There were two attempts made, before they succeeded; nor did the colony, at last, begin to flourish, until proper encouragements were given to industry, by the prospect presented to each man, individually, of receiving the reward of this industry, by commercial intercourse with other countries, and by the benefit which would result immediately to himself or to his family. This is confirmed by a circumstance recorded in the history of this colony, viz. when they first began to labour for subsistence, the plan was, that the produce of each man's labour, should be put into the common stock, from whence all should be supplied as occasion required. The consequence was, that they never made enough for their support, and were once or twice near starving; but as soon as each man had his own ground assigned him, with directions to maintain himself and family, they made a plenty.

It may, however, be urged, that the negroes (having contracted such dispositions for idleness as always to require compulsion) will never voluntarily labour for subsistence. It is granted, that this would be the case, were they to remain among us, where they find other means of support, and where they may prey upon others: and it is even probable, that, for a little time after their removal, the force of habit would operate in a considerable degree. But there can be no doubt, but that the same circumstances, which have once influenced mankind in any situation, will, in the same situation, actuate them again. And let us consult human nature—we shall find, that no man would labour but through necessity, or, after this necessity is answered, without some stimulus to honour or grandeur, either to himself or to

his posterity: and that there is hardly any man who will not, from some of these motives, be induced to industry, if placed in a situation where there is no other resource.

All these motives are now wanting to the people in question: but who can say that when, by a change of situation, they shall operate in their full force, they will not have their effect?

Richmond, March 6, 1790.

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Thoughts on propriety of reading.

I Have often wondered why those, who have the charge of instructing children in the art of reading, do not teach them to read poetry as well as prose; I know it may be justly said, "Because, ingeneral, they do not know how to read it themselves:" but if the practice were attended to, this objection would soon be obviated: I am not afraid to assert, that he who understands reading poetry properly, giving due emphasis and making musical cadences, is always a good, if not an elegant, reader, of every other species of writing: his voice has become smoother, and his articulation is more just, as well as nervous and expressive. On the other hand, he who has never been taught in this branch of reading properly, is perfectly lost, when he is obliged to read a few lines of poetry: he reads and pronounces, accentuates and emphatizes, in such a manner as to make a good jingle at the end of the line, though the sense is murdered by this complaisance to the metre: because it is rhyme, he thinks he must jog on through every line in just the same manner and with the same step—always laying the emphasis or stress in a particular part of each line. I must beg pardon of the reverend clergy among us, when I say, that I am led to these observations, by having remarked the manner, in which the generality of them read the psalms and hymns on Sundays in our churches. I suppose I must stop here a minute, and observe, that no one has a more settled esteem and respect for them and their office than I have; and that I give these

hints merely for their good. Having done this, I proceed to say, that it is almost diverting to hear the good parson lay the emphasis on the most insignificant words in the following lines :

"Shakes THE wide earth and cleaves the tombs."

"But in the statutes of the Lord."

"Green as the leaf, and ever fair."

"But crooked ways of sinners lead
Down to the gates of hell."—

"His mercy and his righteousness."

The majesty of the two following lines is entirely lost, as it is read :

"Let the firm earth and rolling sea,
In this eternal song conspire."—

There is another particular, in which the poetry is shamefully abused, and the beauty of the lines destroyed ; I mean making a pause in the middle of the line, where there is no stop, and even when a word must be divided for the purpose, as in the following instances.

"He like a plant—by gentle stream,
Shall flourish in—immortal green."

"Till the fierce storm be overblown,
And my reven—ging fury cease."

An hundred errors like these might be produced—but these express my meaning ; I will give one instance of the caution that is used to preserve the chiming, where the word "infinite" undergoes a most unmerciful stretch—

"Great is our Lord ; and great his might ;

"And all his glories *infin-i-t-e*."

The same may be said of "eternity," "happiness," and fifty other words, that are used no better, when they end a line. I sincerely wish, that those who usually read psalms and hymns in public, would recollect, that poetry was never intended to distort the English language, and it never ought to do so—only let them pronounce, accentuate, and emphasize every word in poetry as they do in prose, and the difficulty ceases in a moment.

Boston, Dec. 1790.

THE ANECDOTIST.—No. I.

1.

A monster !

MR. FRANKLIN relates, that being with a party of his friends caught in bad weather upon one of the West India islands, he took shelter in a public-house, kept by a foreigner : upon their desiring, that more wood might be brought to the fire, the brute ordered his sickly wife to go forth in the storm, and fetch it ! while a young sturdy negro wench, his slave, stood by, doing nothing ! upon being asked why he did not send the girl rather than his wife ? He replied, "that wench is worth 80*l*. and if she should catch cold, and die, it would be a great loss to me ; but if my wife dies, I can get another, and perhaps money into the bargain !"

2.

THE first American vessel that anchored in the river Thames, after the peace, attracted great numbers to see the stripes. A British soldier hailed, in a contemptuous tone, "from whence came ye, brother Jonathan." The boatswain retorted, "straight from BUNKER'S-HILL, d—n you."

3.

IT is well known, that the genius of the Chinese consists in imitation, rather than invention. A striking proof of this was lately experienced by an American East India captain at Canton. After his arrival in that port, being in want of a new coat, made after the American fashion, and having observed, that the Chinese tailors never take measure, he delivered the proper quantity of superfine cloth to one of them, at the same time sending him as a pattern to make it by, a sea coat that had a large patch in one arm. The tailor made the coat very exactly : but the owner was most vexatiously surprised to find, upon putting it on, that a large piece had been cut out of one arm, and a patch put in, precisely in the shape of that in the old sea coat.



A P P E N D I X I.

P O E T R Y.



Anecdote.

IN the year 1732, governor Belcher made an excursion to the eastern parts of Massachusetts, to visit the several tribes of Indians. He took his passage in the Scarborough man of war, captain (afterwards admiral) Durell, then on the Boston station; and invited Mather Byles, a young clergyman of Boston, to accompany him, as chaplain. Mather Byles declined the invitation; but the governor used the following stratagem to obtain him. He prevailed on the chaplain of the castle to exchange pulpits with Byles, on a Sunday. The ship was then at anchor below the castle, and after service, the governor sent for Byles to come on board in the castle barge, with the captain of the castle, to drink tea, and take his leave of him. The captain of the castle (being in the secret) took a French leave, and went back in his barge, leaving Byles in the cabbin; the ship came to sail, and carried him off.

The governor had provided all necessaries for him, and he submitted.

They visited the eastern parts, as far as Penobscot, that week; and the next Sunday arrived in Casco bay. Byles was called upon to perform divine service, which he did; but on enquiry, no psalm book could be found on board; singing was therefore omitted in the morning; and by the afternoon, Byles, by the governor's request, composed a hymn which was sung by the company.

When the report of this incident reached Boston, Mr. Joseph Green, a young gentleman of a poetic and wag-

gish turn, wrote a burlesque on it, which Mr. Byles parodied.

The original psalm, composed by Mr. Byles.

GREAT God! thy works our wonder raise,

To thee our swelling notes belong;
While skies, and winds, and rocks, and seas

Around shall echo to our song.

Thy power produc'd this mighty frame;

Aloud to thee the tempests roar;

Or softer breezes tune thy name,

Gently along the shelly shore.

Round thee, the scaly nation roves;

Thy op'ning hands their joys bestow,

Through all the blushing coral groves—

Their silent, gay retreats below.

See the broad sun forsake the skies,

Glow on the waves, and downward slide!

Anon, heav'n opens all its eyes,

And star-beams tremble o'er the tide.

Each various scene, or day or night,

Lord! points to thee our nourish'd soul;

Thy glories fix our whole delight—

So the touch'd needle courts the pole.

Burlesque. By Joseph Green.

IN David's psalms an oversight,
Byles found one morning at his tea,

Alas! why did not David write

A proper psalm to sing at sea.

Thus ruminating on his seat,

Ambitious thoughts at length prevail'd;

The bard determin'd to complete

The part wherein the prophet fail'd.

[*]

He fat a while, and strok'd his muse,*
Then taking up his tuneful pen,
Wrote a few stanzas for the use
Of his sea-faring bretheren.

The task perform'd, the bard content,
Well chosen was each flowing word—
On a short voyage himself he went,
To hear it read and sung on board.

Most serious christians do aver,
(Their credit sure we may rely on)
In former times, that after pray'r
They us'd to sing a song of Zion.

Our modern parson having pray'd,
Unless loud fame our faith beguiles,
Sat down, took out his book, and said,
'Let's sing a psalm of Mather Byles.'

At first when he began to read,
Their heads th' assembly downward
hung;
But he with boldness did proceed,
And thus he read, and thus they
sung.

The psalm.

WITH vast amazement we survey
The wonders of the deep;
Where mackrel swim, and porpoise play,
And crabs and lobsters creep.

Fish of all kinds inhabit there,
And throng the dark abode:
There haddock, hake, and flounders
are,
And eels, and perch, and cod.

From raging winds and tempests free,
So smoothly as we pass,
The shining surface seems to be
A piece of Bristol glass.

But when the winds and tempests rise,
And foaming billows swell,
The vessel mounts above the skies,
And lower sinks than hell.

Our heads the tott'ring motion feel,
And quickly we become
Giddy as new dropp'd calves, and reel
Like Indians drunk with rum.

What praises then are due, that we
Thus far have safely got,

NOTE.

* Mr. Byles had a favourite cat,
which his intimates used to call his muse.

Amarescoggin tribe to see,
And tribe of Penobscot.

Parody, by Mather Byles.

IN Byles's works an oversight
Green spy'd, as once he smok'd his
chunk;

Alas! that Byles should never write
A song to sing, when folks are drunk.

Thus in the chimney on his block,
Ambition fir'd the 'stiller's † pate:
He summon'd all his little stock,
The poet's volume to complete.

Long paus'd the lout, and scratch'd his
skull,
Then took his chalk (he own'd no
pen,)

And scrawl'd some doggrel, for the
whole
Of his flip-drinking bretheren.

The task perform'd—not to content—
Ill-chosen was each Grub-street
word;

Strait to the tavern club he went,
To hear it bellow'd round the board.

Unknown delights his ears explore,
Inur'd to midnight caterwauls,
To hear his hoarse companions roar,
The horrid thing his dullness scrawls.

The club, if fame we may rely on,
Conven'd, to hear the drunken catch,
At the three-horse-shoes, or red-lion—
Tipling began the night's debauch.

The little 'stiller took the pint,
Full fraught with flip and songs ob-
scene,

And, after a long stutt'ring, meant
To sing a song of Joly Green.

Soon as with stam'ring tongue, to read
The drunken ballad, he began,
The club from clam'ring strait recede,
To hear him roar the thing alone.

SONG.

WITH vast amazement we survey
The can, so broad, so deep,
Where punch succeeds to strong sangree,
Both to delightful flip.

Drink of all smacks, inhabit here,

NOTE.

† Greene was a distiller in Boston.

And throng the dark abode ;
Here's rum, and sugar, and small beer,
In a continual flood.

From cruel thoughts and conscience free,
From dram to dram we pass :
Our cheeks, like apples, ruddy be ;
Our eye balls look like glafs.

At once, like furies up we rise,
Our raging passions swell ;
We hurl the bottle to the skies,
But why, we cannot tell.

Our brains a tott'ring motion feel,
And quickly we become
Sick, as with negro steaks †, and reel
Like Indians drunk with rum.

Thus lost in deep tranquility,
We sit, supine and sot,
Till we two moons distinctly see—
Come give us t'other pot.



*Verses, by a lady on a late thunder
storm.*

HOW awful are thy threats, O
Lord !

That mortals feel and see !
When lightnings flash, and thunders
roar,

Who can compos'd or easy be ?

What solemn gloom hangs round us
all !

When death appears so nigh—
We hear the Lord—his solemn call,
That bids the sinner die—

Alarming thought ! A youth but now
In blooming spring and gay,
Struck with a thunderbolt, did bow
His head—He turns to clay—

A darling son ! his parents' all !
Ah me ! I feel their grief :

NOTE.

† This alludes to what passed at a
convivial club to which Mr. Greene be-
longed, where steaks cut from the rump
of a dead negro were imposed on the
company for beef, and when the im-
position was discovered, a violent expec-
tation ensued.

Their hopes how blasted in his fall !
The Pow'rs above refuse relief.

Oh hear the frantic mother cry,
In horrid accents wild,

“ Oh ! who can see with tearless eye,
“ My lifeless, beauteous child ?—

“ No more we fly, grim death ! thy dart :
“ Our happiness is gone—

“ O strike my wounded wretched heart,
“ And take me to my son—

“ O give us to our mother earth,
“ We ask for this thy aid,

“ Receive us, thou, who gave us birth :
“ The debt is gladly paid.”—

With broken heart the father bow'd—
And tears bedew'd his eye :
He wept the sacrifice to God,
And heard the piteous sigh.

The God of nature saw their grief,
He heard the parents cry,
He bow'd assent—and glanc'd relief.
Their spirits reach the sky—

A M A N D A.

Staten-Island, April 17, 1790.



Address to the fair.

WHERE virtue takes a solid root
Now branches forth the richest
fruit,

The various thoughts to guard !
To curb what nature forms amidst,
To smoothe the road to future bliss ;
Her just—her sure reward.

Beauty, so pleasant to the eye,
Scarce lives, ere she is doom'd to die—
The shadow of an hour !

One day ador'd in fullest bloom,
The next conveys her to the tomb—
A sapless, wither'd flow'r !

What ! tho' she reign her stated years,
The gewgaw phantom disappears,
And leaves no wreck behind ;

But sterling virtue will impart
This lasting comfort to the heart,
Sound thoughts and peace of mind

Be happy, then, ye virtuous fair,
For heav'n regards you with parental
care.

Lines addressed to Mr. James Gardette, dentist.

GARDETTE! 'tis thine by study to improve
The bloom of beauty and the breath of love;
To chase from ev'ry cheek distress and pain,
And bid each drooping fair one, charm again.
What tho' the glowing cheek and sparkling eye
Some faint sensations to the heart supply,
Celia but half her wonted charms can boast—
A faded trifier, a degraded toast—
Unless the instrument of eloquence
Through iv'ry's double rows delight each sense,
And to her wond'ring lover's soul impart,
Nature's sweet sounds, attun'd by studious art.
Even tho' genius dignify the fair,
Pleasing her words, and elegant her air,
The charms of sound and sense we often slight,
Unless another sense our souls delight;
Unless Arabia's sweets assistance lend,
And ev'ry charm with added grace befriend.
Beauty, 'tis known, too oft disgusting grows;
A vapid, scentless, nay, disgusting rose,
Art can no more the fading leaves adorn;
It withers on its slighted, pitted thorn.

Gardette! advance in thy delightful art;
Promote politeness, and inform each heart,
Add (man to charm—and woman to improve)—
To beauty's bloom the balmy breath of love.

—•••••
Description of Connecticut.

HERE, fond remembrance stamp her much-lov'd names;
Here boasts the soil its London and its Thames.
Throughout her shores commodious ports abound,
Clear flow the waters of the varying ground.
Cold nipping winds a lengthen'd winter bring;
Late rise the products of the tardy spring.
The broken soil a lab'ring race requires,
Each barren hill its gen'rous crops admires,
Where nature meanly did her gifts impart,
Yet, smiling, owns how much she owes to art.

But keen as winds that guide the wintry reign,
All bow to lucre—all are bent on gain,
As chance decreed, their various lots are thrown;
Its house each acre, ev'ry mile its town.
With gilded spire, the frequent church is seen,
Sacred to him who taught them to be keen.
Eternal squabbings grease the lawyer's paw,
All have their suits, and all have studied law.
With tongue, that art and nature taught to speak,
Some rave in Latin, some dispute in Greek.
Proud of their books, in ancient lore they shine,
And one month's study makes a learn'd divine.
Fond to converse, with deep designing views,
They pump the trav'ling stranger of his news;

Fond of his wit, but fonder to be paid,
 Each house a tavern, claims a tavern's trade :
 While he that comes, as surely hears them praise
 The hospitality of modern days.
 Yet brave in arms, of enterprising soul,
 They tempt old Neptune to the farthest pole ;
 In learning's walks explore the mazy way,
 (For Genius here has shed his golden ray)
 In war's bold arts thro' various contests try'd,
 True to themselves, they took their country's side ;
 And, party feuds dismiss'd, join'd to agree
 That sceptre only just—that left them free.

—♦♦♦♦—
An anti-anacreontic.

SINCE the time is but short, from our birth to our tomb,
 Why should we in sorrow our moments consume ?
 No : let pleasure and mirth all our senses employ :
 And the season of life be the season of joy.
 Thus Anacreon of old sung : and why should not we ?
 Our minds are as vig'rous—our souls are as free ;
 And the joys, which we boast, as superior to his,
 As the raptures of angels to animal bliss.
 To let reason be drown'd in full bumpers of wine—
 And with daughters of Venus the heart to resign—
 Are these fit delights for a rational soul ?
 Yet these are the joys of the sons of the bowl.
 That the grape was bestow'd, anxious care to assuage,
 We mean not to deny : 'tis the milk of old age.
 But with temp'rance its rich purple clusters we press,
 And nauseate as poison the draught to excess.
 Far less would we mean the fair sex to despise :
 No : our praise of the fair shall resound thro' the skies.
 Accurst be the thought, that would lessen our wives ;
 They're the comfort, the solace, the joys of our lives.
 'Tis the pleasures of reason we wish to approve—
 The pleasures of virtue, of friendship, of love—
 The charms which from sweet sensibility flow,
 And the joys which reflexion can only bestow.
 Ennobled by these, let us banish despair,
 And cheerfully live, free from sorrow and care ;
 Till at length, when worn out by old Time, we're laid by,
 As we've happily liv'd, so we'll happily die.

—♦♦♦♦—
On a woman of the town, found dead.

UNHAPPY daughter of distress and woe,
 Whate'er thy sorrows, and whoe'er thou art,
 For thee the tears of charity shall flow,
 Warm from the purest fountain of the heart.
 Perhaps, though now neglected and forlorn,
 A parent once survey'd thee with delight,
 The idol of a father's heart alone,
 Or the lov'd darling of a mother's sight.

For thee, perhaps they watch'd, and toil'd, and pray'd,
On thy sweet innocence with transport hung ;
And well they thought their tender care repaid,
To hear the artless music of thy tongue.

When dawning reason shed her ray benign,
And all thy excellence became reveal'd,
How did they see thy op'ning virtue shine,
And hear thy praise with raptures ill conceal'd !

For who, alas ! can tell thy secret worth ?
What soft angelic virtues might appear ?
That bosom, laid defenceless on the earth,
Might once be grateful, gen'rous, and sincere.

Some base deceiver, practis'd to betray,
Might win thy easy faith, destroy thy fame,
" Then cast thee like a loathsome weed, away,"
The sport of fortune, and the child of shame.

Poor wanderer ! perhaps thou could'st not find
The liberal hand, the slender gifts to spare,
Insatiate avarice the soul confin'd,
Or timid prudence disbeliev'd thy pray'r.

Then from the world, neglected and forlorn,
Careless of life, and hopeless of relief,
Thy agonizing heart retir'd to mourn,
And breath'd its last an unmolested grief.

Unhappy shade ! whate'er thy lot has been,
From sin at last and sorrow thou art free,
Thy debt to nature it is fully paid,
And wounded pity pays her debt to thee.



Epigram on the death of a noted knave.

IF heav'n be pleas'd, when sinners cease to sin—
If hell be pleas'd, when sinners enter in—
If earth be pleas'd, freed from a truckling knave—
Then, all are pleas'd——'s in his grave.



On providence.

AS with affection fond, a mother views
Her infant race, and melts with conscious joy,
On the girl's cheek she oft the kiss renews,
Or to her bosom strains the beauteous boy ;
Some climb, with eager love, her envy'd knees ;
Some at her feet in childish frolic play ;
Their secret wish the raptur'd mother sees,
From the sweet smiles, the gestures they display :
And as she marks each varied face, bestows
A tender look on these, and gentle speech on those.
Yet, if displeasure's frown her brow should wear,
She's still the mother, and her child befriends ;
So Providence, all-wise, with parent care,
Provides for some, to others comfort lends ;
To all who ask, she lib'ral aid supplies,

To ev'ry suppliant lends a willing ear ;
 And if sometimes her kindness she denies,
 'Tis only to extort the grateful pray'r :
 Nay, by denying oft our ill-tim'd wants,
 Refusal is consent, and all our wish she grants. 5.

The following beautiful verses were copied from the window of an obscure lodging house.

STRANGER, whoe'er thou art, whose restless mind,
 Like me, within these walls, is curb'd, confin'd,
 Learn, how each want, that heaves our mutual sigh,
 A woman's soft sollicitudes supply !
 From her white breast retreat all rude alarms,
 Or fly the circle of her magic arms ;
 While souls, exchange'd, alternate grace acquire ;
 And passions catch, from passions, glorious fire.

What tho' to deck this roof no arts combine,
 Such forms as rival ev'ry fair but mine ;
 No nodding plumes, our humble couch above,
 Proclaim each triumph of unbounded love ;
 No silver lamp, with sculptur'd Cupids gay,
 O'er yielding beauty pours its midnight ray ;
 Yet Fanny's charms could Time's slow flight beguile,
 Soothe ev'ry care, and make this dungeon smile ;
 In her, what kings, what saints have wish'd, is giv'n ;
 Her heart is empire, and her love is heav'n !

On general Washington.

SEE freedom's ensign's glittering waves unfurl'd,
 There, stamp'd in gold, appears the hero's name,
 Whose deeds are echoed round th' admiring world ;
 And distant ages shall record his fame.

'Twas his to stem the dreadful tide of war ;
 'Twas his to teach the battle where to rage :
 With sounding pinions Vict'ry shades his car,
 His legions eye him eager to engage.

Calmly he views each army's dread array,
 And seems himself the bulwark of the field :
 His skill superior turns the doubtful day :
 His foes were Britons—long unus'd to yield.

Death circling flew around th' ensanguin'd plain,
 There Fate with fury drove her madd'ning car ;
 With human gore the clotted wheels distain'd,
 And view'd, exulting, all the waste of war.

The tide of blood, which late o'erflow'd the field,
 Fann'd by the breezes, stiffens in the glade ;
 A brother's with a brother's is congeal'd,
 And sons of Britons are with Britons laid.

The battle finish'd, and the carnage o'er,
 The vanquish'd see him, and confess his worth ;
 His eye, averted, shuns the flood of gore,
 The noblest hero, and best son of earth.

A hermit's meditation.

IN lonesome cave,
Of noise and interruption void,
His thoughtful solitude
A hermit thus enjoy'd ;

His choicest book,
The remnant of a human head
The volume was, whence he
This solemn lecture read—

“ Whoe'er thou wert,
“ Partner of my retirement now,
“ My nearest intimate,
“ My best companion thou !

“ On thee to muse,
“ The busy living world I left ;
“ Of converse all but thine,
“ And silent that, bereft.

“ Wert thou the rich,
“ The idol of a gazing croud ?
“ Wert thou the great,
“ To whom obsequious thousands
bow'd ?

“ Was learning's store
“ E'er treasur'd up within this shell ?
“ Did wisdom e'er within
“ This empty hollow dwell ?

“ Did youthful charms
“ E'er redden on this ghastly face ?
“ Did beauty's bloom these cheeks,
“ This forehead ever grace ?

“ If on this brow
“ E'er sat the scornful, haughty frown ;
“ Deceitful pride ! where now
“ Is that disdain ?—'tis gone.

“ If cheerful mirth
“ A gayness o'er this baldness cast ;
“ Delusive, fleeting joy !
“ Where is it now ?—'tis past.

“ To deck this scalp,
“ If tedious long-liv'd hours it cost ;
“ Vain fruitless toil ! where's now
“ That labour seen ?—'tis lost.

“ But painful sweat,
“ The dear-earn'd price of daily bread,
“ Was all, perhaps, that thee
“ With hungry sorrows fed.

“ Perhaps but tears,
“ Surest relief of heart-sick woe,
“ Thine only drink, from down
“ These sockets us'd to flow.

“ Oppress'd perhaps
“ With aches and with aged cares,
“ Down to the grave thou brought'st
“ A few, and hoary hairs :

“ 'Tis all, perhaps !
“ No marks, no tokens can I trace
“ What, on this stage of life,
“ Thy rank or station was.

“ Nameless, unknown !
“ Of all distinction stript and bare,
“ In nakedness conceal'd,
“ Oh ! who shall thee declare ?

“ Nameless, unknown !
“ Yet fit companion thou for me,
“ Who hear no human voice,
“ No human visage see.

“ From me, from thee,
“ The glories of the world are gone ;
“ Nor yet have either lost
“ What we could call our own.

“ What we are now,
“ The great, the wise, the fair, the brave,
“ Shall all hereafter be—
“ All hermits in the grave.”

The modest lover.—To Flavia.

IN silent extasy I gaze,
On Flavia's face and air,
Whilst to my heart each look conveys
Both pleasure and despair.

For where so many charms unite,
The object sure must fill
A tender breast with keen delight ;
Yet that delight may kill.

Too true, alas !—such beauty's pow'r,
Well pleas'd we wear the chain ;
But if the fair's unkind, we're sure
To die with grief and pain.

This, Flavia, is my hapless case :
Thy charms attract my eyes ;
Yet if thy rigour do not cease,
Alas ! poor Strephon dies. R. W.

To a wretched flute player.

TO Israel's king, when Jesse's son
Upon the harp did play,
With such a force he swept the strings,
He drove the fiend away.
Tho' some may doubt, I hold it true,
Who thy discordance hear :
For if the devil himself was nigh,
He'd run away for fear.

Song sung in St. Andrew's society, New York, on Tuesday, August 22, when colonel Alexander McGillivray was present.

Tune———Nottingham Ale.

AMONG polish'd nations, for centuries past,
The hero, the saint, have, by custom, assign'd
A day to their honour, which ever shall last,
While gratitude softens the hearts of mankind.
For this we display
The cross here to-day,
To honour St. Andrew, the great and the good ;
Who, despising the shame,
Laid to glory the claim,
And seal'd, as a martyr, the truth with his blood.
Perhaps his last moments—those moments of pain—
Might be sweeten'd with prospects of what would ensue,
When one of his children should make the way plain,
And people Elysium with converts from you.
When Ohio's fair plains
Should enlarge the domains
Of the Prince, and the Lover, and Giver of peace,
And a son of his own*
Have the merit alone,
Of making all Indian hostilities cease.
The time is at hand—nay, already appears,
When the empire of reason shall govern the world ;
And error, tho' sanction'd by thousands of years,
With contempt, as it ought, from our bosoms be hurl'd.
With a great and just view,
This truth we'll pursue,
That in feature or colour no difference can be
In the eye of that mind
Which call'd forth mankind,
To make them one family, happy and free.
What a wide scene of rapture my eye now beholds,
When I turn, to the west, the enkindling view !
Their frank, tawny children my bosom enfolds,
And claps them with ardour, as brothers, like you.
Perhaps, ere I die,
My children or I
With safety and comfort may traverse this land ;
And bless this fair day,
When Saint Andrew's sway
Impell'd their brave leader to give me his hand †.
May plentiful seasons—a sun ever mild—
A spirit of kindness—and friendship sincere,

NOTES.

* Here it may not be amiss for the information of such of our readers as are unacquainted with the circumstance, to mention, that col. McGillivray's father was a native of Scotland.

† Here the chief and the poet shook hands with great cordiality ; and the members present participated heartily in the exchange of friendly sentiments.

Transform to an Eden your desarts so wild,
 And sympathy only occasion a tear.
 When you're gone far away,
 Oh! remember the day,
 When here joy and harmony mingled their pow'rs,
 To keep up the fame
 Of Saint Andrew's name,
 And embellish'd his shrine with a chaplet of flowers.



The adventures of a New England sabbath.*

ON a fine Sunday morning I mounted my steed,
 And southward from Hartford I meant to proceed;
 My baggage was stow'd in a cart very snug,
 Which Ranger, the gelding, was fated to lug;
 With his harness and buckles he loom'd very grand,
 And was drove by young Darby, a lad of the land—
 On land, or on water, most handy was he,
 A jockey on shore, and a sailor at sea;
 He knew all the roads, he was so very keen,
 And the bible by heart, at the age of fifteen.

As thus I jogg'd on, to my saddle confin'd,
 With Ranger and Darby a distance behind,
 At last in full view of a steeple we came,
 With a cock on the spire (I suppose he was game;
 A dove on the pulpit may suit your grave people,
 But always remember—a cock on the steeple)
 Cries Darby: "dear master, I beg you to stay,
 Believe me, there's danger in driving this way;
 Our deacons on Sundays have pow'r to arrest,
 And lead us to church—if your honour think best—
 Tho' still I must do them the justice to tell
 They would choose you should pay them the fine—full as well."

"The fine," said I, "Darby!—pray how much may it be—
 A shilling or six-pence?—Why now let me see,
 Three shillings are all the small pence that remain;
 And to change a half joe would be rather profane.
 Is it more than three shillings, the fine that you speak on;
 What say you, good Darby, will that do the deacon?"

"Three shillings," cried Darby, "why master you're jesting!
 Let us luff while we can, and make sure of our weiting—"

NOTE.

* In several parts of New England, it is customary not to suffer travellers to proceed on a journey on the sabbath day. If a person be obstinate on these occasions, he is either forcibly (and commonly to the ridicule of the whole congregation) conducted to the church door, led through the principal aisle, and placed in a conspicuous seat by the wardens, or must be detained till next day under a guard, and submit to pay a fine, or be committed. The above lines commemorate an event of this sort, which some years ago really befel Mr. P. the noted performer in feats of horsemanship. The author, however, seems to have left his poem incomplete.

Forty shillings, excuse me, is too much to pay,
 It would take my month's wages—that's all I've to say !
 By taking this road which inclines to the right,
 The squire and the sexton may bid us good night ;
 If once to old Ranger I give up the rein,
 The parson himself may pursue us in vain."

" Not I, my good Darby," I answer'd the lad,
 Leave the church on the left ! they would think we were mad ;
 I would sooner rely on the heels of my steed,
 And pass by them all, like a Jehu indeed :—
 As long as I'm able to lead in the race,
 Old Ranger, the gelding, will go a good pace ;
 As the deacon pursues, he will fly like a swallow,
 And you in the cart must of consequence follow."

Then approaching the church, as we pass'd by the door,
 The sexton peep'd out with a faint or two more ;
 A deacon came forward, and wav'd us his hat—
 A signal to drop him some money—mind that.
 " Now Darby, (I whisper'd) be ready to skip,
 Ease off the curb bridle—give Ranger the whip ;
 While you have the rear and myself lead the way,
 No doctor or deacon shall catch us to-day."

By this time, the deacon had mounted his poney,
 And chac'd for the sake of our souls and our money—
 The saint, as he follow'd, cried : " stop them, halloo !"
 As swift as he follow'd, as swiftly we flew—
 " Ah master ! (said Darby) I very much fear,
 We must drop him some money to check his career.
 He is gaining upon us, and waves with his hat,
 There's nothing, dear master, will do him but that—
 Remember the beaver (you well know the fable)
 Who flying the hunters as long as he's able,
 When he finds that his efforts can nothing avail,
 But death and the puppies are close at his tail,
 Instead of desponding at such a dead list,
 He bites off their object, and make a free gift.
 Since fortune all hopes of escaping denies,
 Better give them a little, than lose the whole prize."

But scarce had he spoke, when he came to a place,
 Whose muddy condition concluded the chace ;
 Down settled the cart, and old Ranger stuck fast,
 " Aha !" said the deacon, " have I caught you at last !"

* * * * *
Cætera desunt.

To him only, who feels the justness of the character.

IF yet the mole, that heaves thy dirty breast,
 Restless itself, can let another rest—
 If yet those thoughts can form, those optics know
 A sight more grateful than domestic woe—

A while the licence of thy tongue command,
Nor call fresh thunders from an injur'd hand !

Survey the world !—glance round those friendly eyes,
And mark, what themes for gen'rous pleasure rise !
To charm thy soul benign, the fates agree,
Waves, ruin, sickness, militate for thee ;
For thee, the founde'r'd bark no more returns ;
For thee, the widow, thee, the orphan mourns ;
For thee, detraction taints the virgin's name ;
For thee, the plund'rer lights a midnight flame ;
For thee, are silent Gray's and Goldsmith's lyres ;
For thee, 'midst wealth and honour, ——— expires !
While casual woes thus heap thy gloomy store,
Say, malice ! wouldst thou wish to fashion more ?
Still, canst thou twine misfortune's thorny wreath ?
Still rise, unsated, from a feast of death ?
Still, wrapt in clouds, with poison'd shafts destroy,
And scowl around the pale sepulchral joy ?

Couldst thou bid sleep eash manly couch depart,
Or lodge a vulture in each female heart,
No public triumph would these acts attend ;—
Thou dar'st not shew the undissembled fiend :

Adieu ! and blest the pen whose modest aim
Assails thy temper, but protects thy name.
Controul thy tongue ; compose thy ruffled brow ;
While conscience tells thee—not a friend hast thou.
Too well thou know'st, thy savage reign is past ;
Nor folly's self will flatter thee at last—
Then grant to innocence a transient ease,
Nor meanly venture, where thou canst not please ;
No more the curse of libell'd worth ensure,
Accuse the guiltless, or insult the poor ;
Its honest gains let trade in comfort share,
Nor envy women for the lace they wear ;
For know—in rags shall truth conspicuous shine,
While treachery skulks beneath a robe like thine—
These careless lines, when ——— sets them free,
Obscure to many, will be clear to thee.

On the death of dr. Franklin.

A fragment.

IMPE TUOUS winds o'er earth and sea were driv'n,
And awful darkness spread o'er frowning heav'n ;
When lo ! a voice the hoary mountain shook,
Like peals of thunder, which on Sinai broke ;
Deep as the sound of gales in Ætna's womb,
And solemn as the grave's dark, rayless gloom !
'Twas Warren's voice ! " I come," the hero cries,
" To bear my Franklin to his native skies !
" Ye graves, resound the tidings, and ye storms,
" Which wrap a thousand warriors' rev'rend forms,

"Howl to the world the loss they now must feel,
 "Such is the King of kings' almighty will!"
 He spoke. The dread behest Columbia heard;
 Then, first, her noble bosom groan'd and fear'd;
 "O save my friend!" she cry'd: "let Franklin stay,
 "Him whom the raging elements obey,
 "Whose hand, my head with deathless honour crown'd,
 "And dash'd a tyrant's sceptre to the ground!
 "Let him remain, to aid my fav'rite son,
 "In works of greatness which are just begun;
 "For if with Washington this sage can join,
 "My country must be happy and divine!"
 Alas! the winds dispers'd her fervent pray'r;
 Her anxious wishes died in empty air:
 And Franklin rose, with eager haste, on high,
 Immortal Warren led him through the sky.
 Heroes, who fell in Liberty's dear cause,
 Who dar'd resist, with him, tyrannic laws,
 Around him mov'd; and on the tempest rode
 Sublime, amidst shouting faints, to their divine abode.



Hymn sung at the universal meeting house in Boston, Easter Sunday, April 4, 1790.

JESUS, all hail! Thou risen Saviour, hail!
 At thy command the seventh trump shall sound—
 The sun retire—the moon, the stars turn pale,
 And heav'n, and earth, and sea no more be found.
 Rous'd at thy word, the slumbering nations rise:
 The dead, who live not till the trump be blown,
 Lift up to thee their supplicating eyes:
 And they, who pierc'd thee, weep at mercy's throne.
 On all their sins the cleansing fountain rolls—
 Their robes are wash'd in thine all-saving blood:
 The fount of life supplies their thirsty souls,
 And ev'ry nation drinks the living flood.
 Bath'd in the crimson stream of life divine,
 With tears of joy, in extacy they cry:
 "The east, the west, the south, the north, are thine,
 "From everlasting, thine, we shall not die."
 "All souls are mine: all live to GOD in me,
 "The first the last, the last the first proclaim;
 "Jew, Gentile, Greek, Barbarian, bond or free,
 "Are one new man: and bear Immanuel's name."



*Ode written in London, December, 1777.
 On the success of his majesty's arms.*

Custode rerum Cæsare, non furor
 Civilis, aut vis exiget otium;
 Non ira, quæ procudit enses,
 Et miseras inimicat urbes.

SING Io Pæans, through the land,
 No more the yankey cowards stand,
 Who basely meant t'enslave us:

We've slay'd their virgins, babes, and
 wives,
 With tomahawks and scalping knives,
 Which God and nature gave us.*
 Our bayonets have op'd their veins:
 The congress, quaking in our chains,
 Are "destin'd to the cord:"

NOTE.

Lord Suffolk's speech.

—Yet still they talk of rights and laws,
And say, they fell in freedom's cause,
Beneath a tyrant's sword!

Traitors ring from ev'ry tongue,
"The king—the king—can do no
wrong!"

These knaves talk common sense!
Array'd in terrors, let him shine,
And imitate the wrath divine:

—'Tis in his own defence!

"Grac'd with all the pow'r of words,
"So known, so honour'd by the lords,"

Our Tully will harangu' em:
Ambitious Twitcher æt Jack Ketch,
And gratify his loyal letch,
Both to impeach and hang 'em.

Sam Johnson, rob'd in gown and band,
With that fam'd pamphlet in his hand,
Which charm'd the British nation—
Will tune his wit to gibe and scoff,
And roar—(just as they're turned off)
"No tyranny—Taxation."

Bold Germaine cries out, "Who's
afraid?"

Then nobly draws his conquering
blade,

Yet stain'd with Minden's slaughter.
—He spares no rebel—live or dead;
For lo, he smits off Cushing's head*,
And flogs his wife and daughter.

Franklin shall Sawney's vengeance feel,
And die by neither rope nor steel,
But take a daring flight.

To heav'n he mounts, in chains of wire,
To perish by his †stolen fire,
Ty'd to a paper-kite.

NOTE.

* The severe punishment designed for this gentleman and his family, was probably owing to his lordship's having discovered that Mr. Cushing had conceived an idea of being elected king by the revolted colonies. I am indebted to my learned friend Dr. Johnson, for this anecdote, to which he alludes by saying, "If their rights be inherent and underrived, they may by their own suffrages encircle by a diadem the brows of Mr. Cushing."

† Taxation no tyranny, p. 214.

† It is clear beyond a possibility of

Clinton and Howe will form a noose†,
By twisting of their Cordon rouge;
There Washington may swing.

Suffolk shall whet the scalping knife,
And chaunt (till he's bereft of life)
The mercy of our king.

One Arnold, too, shall feel our ire:
By horses torn, let him expire,
Amidst an Indian screech!

—Nor by his death let vengeance cease,
The jockey's ghost can't rest in peace,
If Burgoyne forge his speech!

Rejoice, ye sprites of Hessians slain;
And hail us o'er th' Alastick main,
In shadowy whiskers dress'd;
—On Del'ware's banks, those sons of
thunder

Weep not their fate—but loss of plunder
Breaks their elysian rest.

On the bare earth, Charles Lee shall
kneel,

Young Harcourt draws the shining
steel,

And bids the party—fire!

—Why, my brave friend, that milky
heart!

Had you perform'd prince ||Orlow's
part,

No frowns had sunk your fire.

NOTES.

doubt, that this arch patriot, philosopher, modern Prometheus, and rebel, is an old offender. The solicitor general was therefore highly commendable for calling him a thief. He proved the charge (to the entire satisfaction of the king and council) by a quotation from Zanga. Mr. Wilson, it is to be hoped, will dress up the doctor for his execution, with a few blunted conductors.

† This co-operation between the generals, was expressly ordered by the military cabinet, at the instance of Lord Mansfield;—the secretary for the colonies prevailed on his royal master, to give Mr. Clinton, a red riband, to enable him to perform this manœuvre.

|| When general Lee was taken prisoner in the Jerseys—The meaning is so very obvious, that even the lord chancellor, who is keeper of the king's conscience, ex officio, will understand it.

Now Wedderburne, your acts besmear
With poison purchas'd from Shebbeare,
The lawyers force to eat 'em;
And whilst they writhe with doleful
face,
Hillsbro' may promise royal grace—
He knows the way to cheat 'em.

Loud let the song of triumph sound,
America's bleeding on the ground,
Britannia's hands have torn her;
Her children's heads she'll spike on
high—

Soft Burke will raise the Irish cry,
And Shelburne be chief mourner.

Rebellion dies; and war shall cease:
Great Cæsar now presides, in peace,
O'er arts, his genius suit.

No more shall desp'rate Wilkes break
loose,

To spoil the royal game of goose,
He plays with Johnny Bute.

Then bards will tune sublimer lays,
To sing the blessings of these days;
Charles Fox Germaine shall kiss;
Carlisle shall tickle Cibber's lyre,
And Mansfield (Simeon like expire)
In extasies of bliss.

Then shall my lofty numbers tell,
Who taught the royal babes to spell,
And sov'reign arts pursue:
—To mend a watch—and set a clock,
New patterns shape for Hervey's frock,
Or buttons made at Kew.

—○○○—
Ode, by John Rannie.

I cannot but remember such things
were,

And were most precious to me.

SHAKESPEARE.

SCENES of my youth! ye once were
dear,

Though sadly I your charms survey;
I once was wont to linger here,

From early dawn to closing day.

Scenes of my youth! pale sorrow flings

A shade o'er all your beauties now;
And robs the moments of their wings
That scatter pleasure as they flow.
While, still, to heighten ev'ry care,
Reflexion tells me, *such things were.*

'Twas here a tender mother strove
To keep my happiness in view;
I smil'd beneath a parent's love,
That soft compassion ever knew.
In whom the virtues all combin'd;
On whom I could with faith rely,
To whom my heart and soul were join'd
By mild affection's primal tie!
Who smiles in heav'n, exempt from
care,

Whilst I remember, *such things were.*

'Twas here, where calm and tranquil rest
O'er pays the peasant for his toil,
That, first in blessing, I was blest
With glowing friendship's open smile.
My friend far distant doom'd to roam,
Now braves the fury of the seas;
He fled his peaceful, happy home,
His little fortune to encrease.
While bleeds afresh the wound of care,
When I remember, *such things were.*

'Twas here—ev'n in this blooming
grove,
I fondly gaz'd on Laura's charms,
Who, blushing, own'd a mutual love,
And melted in my youthful arms.
Though hard the soul-conflicting strife,
Yet fate, the cruel tyrant, bore,
Far from my sight, the charm of life—
The lovely maid whom I adore.
'Twould ease my soul of all its care,
Cou'd I forget, that *such things were.*

Here first I saw the morn appear
Of guiltless pleasure's shining day;
I met the dazzling brightness here,

Here mark'd the soft declining ray:
Beheld the skies, whose streaming light
Gave splendor to the parting sun;
Now, lost in sorrow's sable night,
And all their mingled glories gone!
Till death, in pity, end my care,
I must remember, *such things were.*

A descriptive sketch of Maryland.

TORN from herself, where depths her soil divide,
 And Chesapeake intrudes her angry tide,
 Gay Maryland attracts the wandering eye,
 A fertile region with a temperate sky.
 In years elaps'd, her heroes of renown
 From British Anna nam'd her fav'rite town* :
 But, lost her commerce, though she guards their laws,
 Proud Baltimore that envied commerce draws.

Few are the years since there, at random plac'd,
 Some wretched huts her happy port disgrac'd ;
 Safe from all winds, and cover'd from the bay,
 There, at his ease, the lazy native lay.
 Now, rich and great, no more a slave to sloth,
 She claims importance from her hasty growth—
 High in renown, her streets and domes arrang'd,
 A groupe of cabbins to a city chang'd.

Though rich at home, to foreign lands they stray,
 For foreign trappings trade their wealth away.
 Politest manners through their towns prevail,
 And pleasure revels, though her funds should fail ;
 In each gay dome, soft music charms its lord,
 Where female beauty strikes the trembling chord ;
 On the fine air with nicest touches dwells,
 While from the heart the bright idea swells :
 Proud to be seen, 'tis theirs to place delight
 In dances, measur'd by the winter's night,
 The evening feast that wine and mirth prolong,
 The lamp of splendor, and the midnight song.
 Religion here no gloomy garb assumes ;
 But sells her tears for patches and for plumes :
 The blooming belle (some fav'rite swain to win)
 Talks not of angels, but the world she's in :
 Attach'd to earth, here born, and to decay,
 She leaves to better worlds all finer clay.

In those, whom choice or diff'rent fortunes place
 On rural scenes, a diff'rent mind we trace ;
 There solitude, that still to dullness tends,
 To rustic forms no sprightly action lends ;
 Heeds not the garb ; mopes o'er the evening fire ;
 And bids the maiden from the man retire.
 On winding floods the lofty mansion stands,
 That casts a mournful view o'er neighb'ring lands ;
 There the sad master strays amidst his grounds,
 Directs his negroes, or reviews his hounds ;
 Then home returning, plies his pasteboard play,
 Or dreams o'er wine, that hardly makes him gay :
 If some chance guest arrive in weary plight,
 He more than bids him welcome for the night ;
 Kind to profusion, spares no pains to please,
 Gives him the product of his fields and trees.
 On his rich board shines plenty from her source,
 The meanest dish of all—his own discourse.

NOTE.

* Annapolis.

An address to the Deity.

THOU pow'r, midst thunder, lightning, hail, and storms,
 Who art the same, but under diff'rent forms!
 Forth in the pleasing spring thy beauty goes;
 And universal nature with thee glows.
 The air is mild; the mountains smile around;
 And forests, hills, and dales, with thee resound.

Thy servants, Light and Heat, in summer own
 Thy pow'r, and bend before thy awful throne.
 Thy sun its delegated influence yields;
 Corn, grass, and herbage, crown the wond'ring fields;
 Thy voice in dreadful thunder often roars,
 And oft is heard, resounding on the shores.

In winter, in thy darkest garb array'd,
 Thy majesty is awfully display'd.
 Storms hear thy voice; before thee bend the trees;
 With foaming billows swell the raging seas;
 Whilst thou the terrors of thy wrath call'st forth,
 And humblest nature by thy raging North.

In autumn, ev'ry bliss proceeds from thee;
 Corn crowns each field, and fruits adorn each tree.
 Thus we thy bounty most conspicuous find;
 It spreads a common feast for all mankind.
 Beasts own thy pow'r, that still continue free;
 The lordly bull lows gratefully to thee;
 The horse to thee his gratitude repeats;
 The sheep to thee his honest transports bleats.
 Ev'n to the lion gratitude is giv'n;
 And birds, in warblings, chaunt their praise to heav'n.

Shall man alone, amidst this grateful joy,
 His hopes, his nature, and himself destroy?
 Let him consider his ætherial birth,
 And, looking up to heav'n, rejoice on earth.

Impromptu on bearing of the death of gov. Livingston.

O FRAIL mortality, behold thy doom!
 Heroes and sages crowd the narrow tomb!
 The vet'ran Putnam bows his laurel'd head,
 And beckons sages to the mighty dead;
 Franklin obeys—and treads the shadowy shore,
 And the good Livingston is now no more—
 His mighty soul, unwilling to remain,
 Elated, rush'd to join th' illustrious train.

Job, chapter XXXIX.

DECLARE, if heav'nly wisdom bless thy tongue,
 When teems the mountain goat with promis'd young;
 The stated seasons tell, the month explain,
 When feels the bounding hind a mother's pain;
 While, in th' oppressive agonies of birth,

Silent they bow the forrowing head to earth ;
Why crop their lussy feed the verdant food ?
Why leave their dams, to search the gloomy wood ?

Say, whence the wild a's wantons o'er the plain,
Sports uncontrol'd, unconscious of the rein ?
'Tis his o'er fields of solitude to roam,
The waste his house, the wilderness his home ;
He scorns the crowded city's pomp and noise,
Nor heeds the driver's rod, nor hears his voice ;
At will on ev'ry various verdure fed,
His pasture o'er the shaggy cliffs is spread.

Will the fierce unicorn obey thy call,
Enslav'd to man, and patient of the stall ?
Say, will he, stubborn, stoop thy yoke to bear,
And thro' the furrow drag the tardy share ?
Say, canst thou think, O wretch of vain belief,
His lab'ring limbs will draw thy weighty sheaf ?
Or canst thou tame the temper of his blood,
With faithful feet to trace the destin'd road ?

Who paints the peacock's train with radiant eyes,
And all the bright diversity of dies ?
Whose hand the stately ostrich has supply'd
With glorious plumage, and her snowy pride ?
Thoughtless she leaves, amid the dusty way,
Her eggs, to ripen in the genial ray ;
Nor heeds, that some fell beast, that thirsts for blood,
Or the rude foot, may crush the future brood.
In her no love the tender off-spring share,
No soft remembrance, no maternal care :
For God has steel'd her unrelenting breast,
Nor feeling sense, nor instinct mild imprest ;
Bade her the rapid-rushing steed despise,
Outstrip the rider's speed, and tow'r amid the skies.

Didst thou the horse with strength and beauty deck ?
Hast thou in thunder cloth'd his nervous neck ?
Will he, like grow'ling grasshoppers, afraid,
Start at each sound, at ev'ry breeze, dismay'd ?
A cloud of fire his lifted nostrils raise,
And breathe a glorious terror as they blaze.
He paws, indignant, and the valley spurns,
Rejoicing in his might, and for the battle burns.
When quivers rattle, and the frequent spear
Flies flashing, leaps his heart with languid fear ?
Swallowing with fierce and greedy rage the ground,
" Is this," he cries, " the trumpet's warlike sound ?"
Eager he scents the battle from afar,
And all the mingling thunder of the war.

Flies the fierce hawk by thy supreme command,
To seek soft climates and a southern land ?
Who bade th' aspiring eagle mount the sky,
And build her firm aerial nest on high ?

On the bare cliff, or mountain's shaggy steep,
 Her fortress of defence she dares to keep;
 Thence darts her radiant eye's pervading ray,
 Inquisitive to ken the distant prey.
 Seeks, with her thirsty brood, th' ensanguin'd plain,
 There bathes her beak in blood, companion of the slain.



On good humour.

[By miss Maria Falconer.]

OF pride and mad ambition we complain,
 Destructive war, and violence, in vain.
 Ill-temper's baneful influence o'er the mind
 More pain creates, than all those ills combin'd;
 Bids social love in ev'ry bosom cease,
 And clouds the beauteous beams of smiling peace:
 Blasts all the joys, that bloom to sweeten life,
 Embitters happiness, and lengthens strife.
 To calm the troubled breast, to soften woe,
 To stop the tear misfortune taught to flow,
 He, who surveys our griefs with pitying eyes,
 Sent down the nymph good humour from the skies.
 Her beauteous presence beams perpetual day:
 The loves and graces in her person play;
 The opening flow'rs bloom sweeter where she treads,
 The faded blossoms lift anew their heads;
 The lovely seraph waves her purple wing,
 Diffusing all the balmy sweets of spring;
 Bestows fresh beauties on the blooming vale,
 And pours fresh fragrance on the spicy gale.
 Observe the mansion, where good humour dwells:
 What heart-felt joy each blissful bosom swells!
 The cheerful, happy father smiles, to see
 His playful offspring prattle round his knee;
 Whilst the fond partner of his heart bestows
 That joy, which only from good humour flows.



Ode, to the memory of dr. Joseph Warren, the celebrated orator, who was slain upon the heights of Charlestown, fighting for the liberties of America, on the 17th day of June, 1775.

OF GREAT reverse of Tully's coward heart,
 Immortal Warren! you suffice to teach,
 The orator may fill the warrior's part,
 And active souls be join'd with fluent speech.
 Shall not the speaker, who alone could give
 Immortal reviviscence to the dead,
 Chang'd to a hero now, forever live,
 In fame's eternal roll, with those he led?
 Let North and Sandwich take the meaner shame
 Of blustering words, unknown to hardy deeds!
 And callous G—— superior merit claim,
 In grinning laughter, while his country bleeds.

Boston's first sons in prostrate numbers lay,
 And freedom totter'd on destruction's brink;
 Warren stepped forth, to solemnize the day,
 And dar'd to speak, what some scarce dar'd to think.
 Yet glorious honour! more than one man's share,
 He in his latest, as his earliest breath,
 In camp, or forum, equally could dare,
 And seal his bold philippic with his death. LUCIUS.

—○○○○—
The absurdity of wishing.

CAN we succeed by wishing?—'tis a jest;
 That constant hectic of a fool at best.
 Those things we fondly deat on, when possess'd,
 Insipid grow, and are no more careis'd.
 One point obtain'd, another strikes the sight,
 And hope deludes us with a dazzling light.
 Sure 'tis absurd, impertinent, and vain,
 To wish for something, which we cannot gain;
 Life's present comforts this at once destroys,
 And makes us restless for untasted joys.
 Heav'n kindly grants the boon, which we implore:
 That boon receiv'd, we murmur as before;
 By wild caprice, from youth to age are led,
 Nor cease complaints, 'till number'd with the dead.

The miser, brooding o'er his treasur'd heap,
 Can no enjoyment from possession reap;
 But always thirsting to increase his store,
 In plenty pines, ridiculously poor.

The youthful statesman, by ambition fir'd,
 Burns with impatience for the point desir'd;
 But ere the wish'd-for prospect is in view,
 Soon, soon he pants another to pursue.

"Give me a horse," Philario cries, "I'll ride—
 "There's no diversion in the world beside;"
 'Till fancy whispers gently in his ear,
 "Methinks a pair would more genteel appear."
 There, purchas'd once, unnumber'd wants create;
 Now splendor charms him, equipage, and state:
 Stating about, inconstant as the wind,
 To various schemes, at various times inclin'd:
 Whate'er is present grants a transient joy:
 New objects strike him, and as quickly cloy.

Fancicus weary'd out with town-delights,
 Days spent in nonsense, and luxurious nights,
 Flies to the country, there expects to meet
 Ease for his mind, and happiness complete:
 But still past pleasures are impress'd so strong,
 No rural scenes can captivate him long.

Prompted by fancy and the love of gain,
 Mercator braves the rough tempestuous main;
 To distant regions sails with heart elate,
 And home returns both opulent and great.

But has he found, by diff'rent change of air,
That richest prize, an antidote for care?
Lothario hates a solitary life,
And turns his thoughts on "family and wife;"
By them, imagines to secure content—
New cares perplex him, furniture and rent:"
With children blest, anxiety commences:
He talks of nothing then, but vast expenses.
Thus discontent seems woven in our frame,
And perfect bliss is nothing but a name.
Yet if we strove with diligence sincere
To keep our breasts from cank'ring envy clear,
Much of this peevish humour would subside:
The greatest bar to happiness, is pride.

—○○○○—
An extempore epigram, on Clarissa.

IN soft Clarissa's form, united shine
Such female ease, such majesty divine,
That each beholder must with awe declare,
Apelles' Venus was not half so fair.
But when the stores of judgment, wit, and sense,
Her lips, with graceful diffidence, dispense,
Each hearer owns, with pleasure and surprise,
That Homer's Pallas was not half so wise:
These diff'rent charms such diff'rent passions move,
Who sees, must rev'rence, but who hears, must love.

—○○○○—
The pious sailor. A sacred ode.

I.
THE man, whose heart from vice
is clear,
Whose deeds are honest, true, sincere,
Whom God and virtue guide,
With cautious circumspection wise,
The dang'rous wrecks of life defies,
And stems the mighty tide.

II.
He hears the storms of fortune rise,
In adverse combat 'midst the skies,
But hears without dismay.
His pilot, God, the vessel guides,
And o'er the steady helm presides,
And points the destin'd way.

III.
In vain the sirens tune their song,
With treach'rous music's luring tongue;
He still maintains his road;
In vain they glance their beck'ning
guiles,
Destructive charms, and wanton wiles;
His soul is fix'd on God,

IV.

At length he kens the promis'd land,
And hails aloud the wish'd-for strand,
With heav'nly joy possess'd;
And 'midst the plenty of his store,
(His labour past, his toil no more)
Enjoys the port of rest.

—○○○○—
*To a young lady, on her birth-day.
Written in autumn.*

HOW fast decays the lively bloom
Of yon empurpled dale!
How soon will winter's with'ring reign
O'er ev'ry scene prevail!

Thus time, Melissa, may consume
The rose that decks thy face,
Dim the blue lustre of thine eye,
Rob beauty of each grace.
But sense and virtue still can charm,
Though wrinkled age appear;
These shall endear thee to thy friend,
Through each revolving year.

Unruffled by the adverse gale,
 May life serenely glide;
 Or should disaster intervene,
 In pow'r supreme confide.
 Inspir'd by hope, Melissa then
 The bliss can antedate
 Of bright abodes, where endless joys
 The truly good await.



Friendship.

DISTILL'D amidst the gloom of
 night,
 Dark hangs the dew-drop on the
 thorn,
 'Till, notic'd by approaching light,
 It glitters in the smile of morn.
 Morn. soon retires: her feeble pow'r
 The sun out-beams with genial day,
 And gently, in benignant hour,
 Exhales the liquid pearl away.
 Thus on affliction's sable bed,
 Deep sorrows rise, of saddest hue;
 Condensing round the mourner's head,
 They bathe the cheek with chilly
 dew.
 Though pity shows her dawn from hea-
 ven,
 When kind she points assistance near;
 To Friendship's sun alone 'tis given,
 To sooth and dry the mourner's
 tear.



*Extempore verses, on seeing a boy a-
 musing himself with blowing a soap
 bubble with a pipe, and attempting
 to catch it.*

I.

EMBLEM of life, this bubble is;
 True emblem of all human bliss;
 Which when we eagerly would clasp,
 The bubble bursts, and shuns our grasp.

II.

Scripture and reason plainly show,
 There's no true happiness below:
 Then let us seek it where it lies,
 In mansions far above the skies.

Home.

HAIL, lovely cot,
 Delightful spot,
 The poor man's lot!
 Contentment, hither come!—
 Let others bound
 The world around;
 No peace is found,
 Like this, I find at home.
 With musing head,
 The meads I tread,
 And mountain's head;
 Nor e'er regret my doom—
 Poor and obscure,
 I live secure,
 Enjoy the pure,
 Unenvied peace, at home.
 The horrid car
 Of bloody war
 May roll afar;
 But hither will not come:
 While thousands slain
 Bestrew the plain,
 I here remain,
 Secure in peace, at home.
 For fordid gain,
 The merchant train,
 O'er all the main,
 With toil and danger, roam;
 While I, resign'd
 To want, here find
 More peace of mind,
 Secure and safe at home.
 The statesman proud,
 Amid the croud,
 May bellow loud,
 In noble congress room—
 I envy not
 His shining lot,
 While in my cot
 I live in peace, at home.
 With curious taste,
 And mad'ning haste,
 O'er all the waste
 The traveller may roam:
 I can explore
 All nature's lore,
 Here safe on shore,
 And never stir from home.
 When morning bright
 On mountain's height
 Spreads out the light,

I from my cottage roam ;
 And when to rest,
 Adown the west,
 Bright Sol is chas'd,
 Return, and sleep at home.
 Heav'n grant, I may
 Thus pass away
 Each live-long day ;
 From innocence ne'er roam ;
 'Till that last day,
 When God shall say,
 ' Soul ! come away,
 ' To your eternal home.'

—◆◆◆◆◆—

The lily of the vale.

THE lily of the vale,
 So elegantly fair,
 Whose sweets perfume each fanning
 gale,
 To Chloe I compare.

What tho' on earth it slowly grows,
 And strives its head to hide ?
 Its sweetness far out-vies the rose,
 That flaunts with so much pride.

The costly tulip owes its hue
 To many a gaudy stain ;
 In this we view the virgin white
 Of innocence remain.

See how the curious florist's hand
 Uprears its humble head ;
 And to preserve the charming flow'r,
 Transplants it to his bed.

There while it sheds its sweets around,
 How shines each modest grace !
 Enraptur'd how its owner stands,
 To view its lovely face !

But pray, my Chloe, now observe
 The inference of my tale ;
 May I the florist be, and thou,
 My lily of the vale.

—◆◆◆◆◆—

ELEGIAC ODE,

On the death of dr. Franklin.

(Tune, "Return, enraptur'd hours.")

THE fairest flow'rets bring,
 In all their vernal bloom ;
 And let the sweets of spring
 Adorn great Franklin's tomb.
 The patriot's toil is done ;

At length his labours cease ;
 Th' unfading crown is won ;
 His sun descends in peace.
 The sons of science grieve ;
 The patriot heaves a sigh,
 And scarcely will believe,
 That so much worth can die.
 No : deathless is that name,
 Which ages shall admire :
 And Franklin's splendid fame
 Shall but with time expire.
 While rapid lightnings fly,
 While awful thunders roll,
 While meteors gild the sky,
 And dart from pole to pole—
 Mankind shall still admire,
 When Franklin's name they hear,
 " Who snatch'd celestial fire,"
 " And broke th' oppressor's spear."
 Through ev'ry future age,
 While hist'ry holds the pen,
 She'll rank our virtuous sage
 Among the first of men ;
 And when she counts her sons,
 Who earn'd immortal fame,
 Will, next to Washington's,
 Record our Franklin's name.
 May 14. R. D.

—◆◆◆◆◆—

Psalm XXIX paraphrased.

WITH meek humility and fear,
 The mighty name of God re-
 vere,

Ye monarchs brave and wise.
 His be all honour, glory, praise ;
 To him let ev'ry altar blaze ;
 To him all incense rise.

Where'er his voice in dreadful strain
 Extends, the wild tempestuous main
 Repeats the horrid sound ;
 In rattling peals loud thunders break,
 (If but the great Jehovah speak)
 And shake the ocean round.

Majestic, solemn, deep, and full,
 His mighty thunders mingled roll,
 And rend the rocky brow ;
 Each cedar strong, each lofty pine,
 At once their riven trunks recline,
 And stoop their honours low.

NOTE.

* Eripuit cælo fulmen, sceptrumque
 tyrannis.

Thine, Libanus, king of mountains
tall,
And Sirion's craggy summits fall,
Shook to their bases wide;
Their deep foundations loosen'd hop,
Light as the herds, that graze their top,
Or range their cavern'd side.

Keen lightnings flash, in livid blaze;
The desert starts, in wild amaze;
Loud roars each haunted den;
The cattle teem in mute surprise;
The heart in humble horror lies
Of all the sons of men.

God is our king: in him, distressed,
His people find untroubled rest;
Their ease no harms annoy;
From him, sweet plenty, health and
peace,
In sure succession still increase,
And never-fading joy.

— — — — —
Ode to piety.

In the person of a young clergyman.

Odi profanum vulgus et arceo. HOR.

I.

HENCE, ye irreligious, hence,
Fees to reason and to sense!
Hence, ye crew, whose abject minds
Tyrant superstition binds!
Seeming hypocrites, that cloke
Heart profane with pious look!
Atheists, that with scoffing pride
God's creative pow'r deride!
Puritans with solemn face,
Whining cant, and sly grimace!
Hence of ev'ry appellation,
Ev'ry sect, and ev'ry nation!

II.

Come, O come and dwell with me,
White-robd nymph, sweet piety!
With heav'nly grace inspire my breast,
Such grace, as once those saints possess,
Whose eloquence each hearer charm'd,
And with religious rapture warm'd.
Such Tillotson, whose reason shines
Manly in his polish'd lines;
Beveridge, in whose thoughts we see
Nature's sweet simplicity;
South, who only knew to fit
Sense severe with poignant wit;

Mildly-charming Atterbury;
Bentley, with a pious fury;
And many a sage, whose silver tongue
Was oft with strong persuasion hung.
Then teach me, nymph, their heav'nly
art,
To charm and to inform the heart.
So on this earth a deathless fame
Shall crown my ever-honour'd name,
And I in perfect bliss divine,
A saint among the saints, shall shine.

— — — — —
M U S I C.

An ode.

THE various passions of the soul
Are under music's vast control.
When genius strikes the lyre,
Hark! how the sweetly-teething strain
Diffuses love thro' ev'ry vein,
Awak'ning soft desire.

Anon the rapid notes impart
Ecstatic fury to the heart:
Bellona wields her spear:
The coward now a hero seems,
Of laurel'd ensigns, vict'ry dreams,
Devoid of pallid fear.

Now, like the voice of Philomel,
Th' elegiac notes are taught to swell,
And pity melts the heart;
The lover views th' untimely bier,
And sheds the sympathetic tear,
Compell'd by magic art.

And now th' allegro notes entrance:
Let gay-ey'd pleasure lead the dance,
Her roseate wreathes entwine.
Lo! beauty, by the graces dress'd,
Responsive heaves the raptur'd breast,
And owns thy pow'r divine.

— — — — —
THE COMPLAINT.

WHY does Damon sigh and grieve,
Why complain of Cupid's dart?
Could my pain his peace retrieve,
Gladly would I bear the smart.

But by tyrant custom ty'd,
I may hear, but dare not speak;
Custom must my conduct guide,
Though my love-lorn heart should
break.

ORIGINAL POETRY.

*Female love forsaken.**By S. B. esq. of Philadelphia.*

THE sun was just closing the day,
 And evening's soft shades drawing on,
 When, invited by fancy to stray,
 I pensively rov'd to the lawn.
 The rosy-cheek'd spring had return'd ;
 All nature seem'd lively and gay ;
 The turtle now plaintively mourn'd ;
 Each warbler now thrill'd forth its lay.

But Laura, sweet delicate fair,
 By sadness, and grief, was oppress'd ;
 From her eye, often trickled the tear :
 The deep sigh often heav'd from her breast.
 Her looks were dejected and wan ;
 In ringlets her jetty locks hung ;
 Her clothes were thrown carelessly on ;
 And sweetly, though sadly, she sung—
 " How joyless, she cry'd, was that day—
 Alas ! how severe was that stroke,
 That tore my lov'd Colin away !—
 I thought, my poor heart would have broke.
 He left me (how cruel !) in tears ;
 And coldly he bade me adieu !
 He saw, that I struggled with cares ;
 Yet little his friendship would do.

" For friendship has oft been our theme :—
 Through the garden, or lawn, as we rov'd,
 He has own'd, that I shar'd his esteem ;
 But never confess'd, that he lov'd.
 Yet truly I've often desir'd,—
 Though I make the confession, with pain—
 Like him, that I only admir'd :
 But, alas ! all my wishes were vain.

" That I lov'd him, I dare not disown ;
 And richly my love he deserv'd :
 His sense and his virtues, once known,
 By all were admir'd and rever'd.
 When oft in his company plac'd,
 His merits I've fondly run o'er ;
 On the charms of his person have gaz'd ;
 And have thought, I could almost adore.

" For, sure, he was manly and kind,
 Was affable, easy, and free,
 Of a candid and liberal mind,
 And as upright, as virtue could be.
 His judgment was piercing and strong,
 While piety soften'd his heart :
 He was comely, engaging, and young ;
 He was nature, exalted by art.

" His modesty, knowledge, and truth,
 Secur'd him the friendship of age :
 By his flatt'ring attention to youth,
 Their attachment he'd always engage.
 He was noble, by nature, as birth ;
 Yet ne'er was he tinctur'd with pride :
 His friends all acknowledg'd his worth.—
 Oh ! heavens ! that I were his bride !
 " To be, with such excellence, join'd,
 Would soothe ev'ry trouble of life :
 The charms of his person and mind
 Would ennoble the title of wife.
 'Till death, to possess such a friend,
 Whom at once I might love and admire,—
 Could heaven a richer gift send ?
 Could woman a better desire ?
 " To him, when afflicted with grief,
 I'd resort, and lay open my heart :
 From his lips, would I draw sweet relief :
 His sympathy blifs would impart.
 And if by pale sickness oppress'd,
 My Colin should languish in pain,
 Sweet music should lull him to rest ;
 This bosom his head should sustain.
 " But vain are my projects, and care :
 'Twill nothing avail, to repine.
 He doats on a happier fair :—
 Lov'd Colin will never be mine.
 Then go, with the smiles of thy friend,
 Thou accomplish'd, thou favourite swain
 May peace on thy footsteps attend !
 Be happy,—though I should complain !"
 In mildness, surpassing the dove,
 Thus sigh'd the sweet, elegant fair.
 Her heart still compell'd her to love ;
 Though her judgment still bade her despair.
 But soon were her murmurings o'er :
 A youth no less amiable bow'd.—
 She thought of lost Colin no more :
 She was happy—she lov'd, and was lov'd.



Song, to absent Laura.—By W. P. Carey.

TIS o'er, ye swains : poor Damon dies !
 Ah ! haste and bring my shroud !
 A warning spirit o'er me flies,
 In yon impending cloud.
 These sounds, that sadly strike your ears,
 Are Damon's passing-bell.
 While evening sheds her dewy tears,
 Pale spectres ring my knell.

Mus.

Oh ! lay me, where the moon-beam shines,
 And weeping vi'lets grow,
 Where spring her greenest garland twines,
 And mournful zephyrs blow.

My dying sighs to Laura bear ;
 Say how I lov'd in death ;
 Say how I fondly nam'd the fair,
 With my departing breath.

To cheer me in the dreary grave,
 And soothe my shade to rest,
 This hair, she softly-sighing gave,
 Place on my clay-cold breast,

These lines, in which she told her love,
 Place next my broken heart :
 In death, to her I'll constant prove,
 And act a lover's part.

And when my voice is heard no more,
 When clos'd in death my eyes,
 At night, on Liffy's winding shore,
 My shade shall slowly rise.

To wander near my Laura's bow'rs,
 And shield the sleeping fair,
 From boding dreams and hurtful pow'rs,
 Shall be my tender care.

Dublin, 1789.

Address of a lady to her husband on his return from a long absence.

HOW welcome, my shepherd, how welcome to me
 Is ev'ry occasion of meeting with thee !
 But when thou art absent, how joyless am I !—
 Methinks, I contented could lie down, and die.

The oft'ner I see you, the more I approve
 The choice I have made, and am fix'd in my love :
 For your worth and your virtues still brighter are shown,
 And the more must be valu'd, the more they are known.

To live in a cottage, with thee, I would choose ;
 And crowns, for thy sake, I would gladly refuse :
 Not all the vast treasures of wealthy Peru
 To me would seem precious, if banish'd from you.

For all my ambition to thee is confin'd,
 And nothing would please me, if thou wert unkind.
 Then tenderly love me ; and happier I'll be,
 Than plac'd on a throne, if to reign without thee.

SELECTED POETRY.

A song. In imitation of "the watry god."

THAT Pow'r who form'd th' unmeasur'd seas,
 (Not with base trident vainly sways)
 Look'd from th' empyrean sky ;

The solid land, th' extended main,
With all, their ample realms contain,
Lie naked to his eye.

Fierce Discord shook the earth ! the seas,
Enroll'd in one promiscuous blaze,
With doubling thunders roar'd !

" Michael ! go forth !"—(the Godhead cry'd)—

" Wave my dread engine o'er the tide,
And edge Columbia's sword."

Th' archangel wing'd th' ethereal road,
T' obey the mandate of his God,
And reach'd Columbia's shores :

Her dauntless heroes, on the wave,
Proud Albion's boasted navy brave,
And baffle all her pow'rs.

In vain her thousand ships appear,
In all the horrid pomp of war,
And thunder round the coast :
Whole squadrons, captive led, she view'd,
By force inferior far subdu'd,
Their wealth, fame, glory, lost !

Amaz'd, the seraph seeks the sky,
And tells the wond'rous tale on high :—
All heav'n, astonish'd, gaze !

Thrones, angels, principalities,
In loud applause, united rise,
And universal praise.

Hail, brave Columbians ! sons of Heav'n !
To whose all-conqu'ring arms 'tis giv'n,
To bend proud tyrants down—
To burst vile Slav'ry's iron band—
Guard sacred Freedom ! save your land !
There fix the goddess' throne.

No more shall Albion rule the waves ;
For you, the broad Atlantic heaves,
And owns your proud control ;
For you, she visits ev'ry shore,
Wafts India's treasures, Afric's ore,
And wealth from pole to pole.

They ceas'd—when the Almighty spoke—
(Heav'n's adamantine pillars shook,
As the dread word went forth)—
" Columbia's sons I give to reign,
At home, and o'er the boundless main,
Unrival'd lords of earth !"

To a lady—caressing her children.

SEE, where, around the lovely parent, cling
The smiling infants, her sincerest bliss,

While on their lips, more sweet than breath of spring,
 She prints the softness of a mother's kiss.
 A kiss, for which luxurious wealth its store,
 And titled grandeur all its glitt'ring toys,
 With vain allurements, at her feet would pour,
 While infant innocence the boon enjoys.

—●●●●—
Elegy to Laura. By W. P. Carey.

Scene—a church-yard,—A sumptuous monument of a deceased patriot in view.

YON monument, the labour'd work of art,
 Beneath whose pond'rous weight, earth seems to groan ;
 Where brazen figures seem with life to start,
 And drooping angels learn to weep in stone—

Was rear'd, to bear to future times the name
 Of him, who sleeps beneath its marble womb,
 Whose godlike actions swell'd the trump of fame,
 And drew the tears of nations o'er his tomb.

Yet vain the work !—the marble shall decay ;
 In vain the sculptor forms the brazen bust ;
 The frail materials live their little'day ;
 Then sink, and moulder into silent dust.

Time smiles, contemptuous, at man's empty pride :
 Reflexion tells, the feeble work must die ;
 Shows, lost in dark oblivion's silent tide,
 Those, who, for fame, on brass or stone rely.

The yielding stone gives up the sculptur'd lines ;
 The blunted metal meets a like decay :
 Time's wasting hand, that mars our fond designs,
 First sweeps our name and epitaph away.

Hence, o'er the time-worn fragment, oft we see
 The doubtful antiquarian fondly pore :
 'Tis Cæsar now, and now a Ptolemy,
 Now tyrant Nero, or unhappy More.

Yet shall thy name, O Laura, 'scape the rage
 Of time—the sword—and swift-destroying fire.
 Thy fame shall flourish in a future age,
 And unborn youths thy lovely form admire.

The muse shall raise, for thee, a lasting song ;
 ; And Time, relenting at the pow'ful sounds,
 Shall drop his scythe, and bear thy fame along
 To realms unknown, and earth's remotest bounds.

Ev'n I, who tune the lyre, of thee to sing,
 Shall, dying, join my hapless name to thine :
 Fair Truth, for me, shall touch the trembling string,
 And drop her pitying tears to woes like mine.

Her voice shall softly sing of Damon's fate :
 The tender loves shall weeping sit around.
 Haply, relenting then, alas ! too late,
 Thy sighs shall sadly swell the mournful sound.

From the French.

OH, thou young chief, Fayette, the good and brave,
 Freedom's firm friend beyond th' Atlantic wave;
 While Glory mentions, France repeats thy name;
 And time consigns it to immortal fame!
 Though spots the fame of our first heroes stain,
 Since, chaining foes, they rivetted our chain;
 Yet Fayette breaks oppression's iron rod,
 A patriot deem'd, thence grows a demi-god.



*Fragment of a poem on the erection of the works at Dorchester hill, which obliged
 lord Howe to evacuate Boston.*

NOW Sol resplendent from the ocean rose,
 And struck with new dismay Columbia's foes:
 For lo! on Dorchester's fair hill, appears
 A flaming standard! lo! a work of years,
 Rais'd in a night; which overlook'd their towers,
 Portended mischief, and defy'd their pow'rs:
 Its well-poss'd guns could all their haunts survey:
 Within, a gallant host securely lay;
 Without, were pond'rous casks, full many a row,
 To roll, like thunder, on th' advancing foe:—
 For love of liberty new arts inspir'd,
 And rare invention, as the day requir'd.—
 All this Columbia's wakeful genius wrought,
 While Howe and Loring slept without a thought.

But when the morn had op'd the Briton's eyes,
 And thro' his glass, beneath the southern skies,
 He saw the works—"Heav'n's! what is this?" he cry'd:
 "Out done, out-general'd on ev'ry side!
 "By hated Yankees too!—Bostonia lost!
 "And I, with all my bands, to quit the coast,
 "Or fall a prey!—Perdition to the glass,
 "Which brings the object full before my face!"

With fury, to the ground, the tube he flung
 The air resounded, and the pavement rung.

*Phyllida's riddle.*

TRansported with joy, with a heart light as air,
 Lovely Phyllida tript to her cot from the fair:
 Her mother would fain know the cause of her bliss,
 Which arose, she insisted, from Corydon's kiss.
 From Corydon's kiss! said the lass, with a smile,—
 He gave me much more, ere we journey'd a mile!

Much more! cry'd the mother, I'll know what it be!
 No, no! that's a secret between him and me;
 And, mother, you've told me all secrets to keep,
 And never reveal them—not even in sleep.
 What Corydon gave me, I'll now not impart—
 'Tis the joy of my eyes, and the bliss of my heart.

Come, hussy, disclose! I'm determin'd to know,
 What the shepherd has done, thus to tickle you!

Dear mother, 'tis only what pass'd, in your youth,
'Tween my father and you—as I live, 'tis a truth !
So press me no farther ; for time will reveal,
What now, with such rapture, I wish to conceal.

Yes, yes ; I know well, what will happen in time
And I know, what misfortunes await on the crime !
A crime ! said the fair one.—Believe me, dear mother,
Each virgin around would embrace such another.
He gave me this morn—the delight of my life,
He gave me—himself—for he made me his wife !

MESS. PRINTERS,

The following poem was written by Mrs. M. Mc.—an aged lady of this city, without the “pain of study,”—to a young lady of eighteen, also of this city, on seeing an elegant piece of her needle-work, intended for a fire-screen.—If you, gentlemen, think it worthy a place in your Museum, it is at your service. A.
Philadelphia, November 16th, 1790.

Verjes, address'd to miss M—A—A. on seeing her ingenious needle-work.

TO guide the pencil, with unerring skill,
And trace the subject, which you mean to fill ;
In richest fancy, bid the tulip blow,
And each small sprig, in its own colours, glow.
By nature taught, these arts are thine, sweet maid,
To blend the colours, and to give the shade.
Industrious, like the bee, you spend your hours,
And gather profit from the fairest flow'rs.
If such production in thy youth appears,
What may we hope for, in maturer years ?
Flora, with envy, will behold from far,
The rising beauties of thy rich parterre ;
And while she waits the changing seasons' round,
Thy blooming sprigs are in perfection found.
Her gayest plants, by autumn's blasts, decay ;
But yours will last, when those must fade away.
Go on, dear girl, thy pleasing task pursue :
Others may strive, though none has equal'd you.
With wonder, we survey the finish'd scene,
And love miss A—, when we view her screen.

*Ode, sung at Bennington, on the 16th of
August 1790, being the anniversary
of the battle of Bennington.*

ONCE more the rolling spheres
proclaim
The happy morning's dawn,
Which wakes the ancient martial
flame :—
And soldiers seek the lawn :
See ! the brisk swain, with glowing
breast,
Attends the sounding horn ;
Reigns dull care, inglorious rest,
To hail the jocund morn.
Each breast with recollection fir'd,

Reviews the former scene ;
From whence, by Freedom's self inspir'd,
Spring laurels ever green.
The steed, unmindful of the rein,
At the shrill trumpet's sound,
Like lightning darts across the plain,
And tears the trembling ground.
What martial footmen grace our plains,
When urg'd by duty's call !
Each breast that sacred flame retains,
Which stay'd Columbia's fall ;
Thick clouds th' ætherial concave fill,
While thund'ring cannon's roar,
Re-echoing from each lofty hill,
Resounds from shore to shore.

ORIGINAL POETRY.

An address to the robin red-breast. By
S. B. of Philadelphia.

SEE! perch'd on yonder lofty spray,
The red-breast sits; so blithe and
gay;

Far from danger, void of fear,
Warbling to the list'ning ear,
Notes of pleasure, airy, wild,
Softly plaintive—sweetly mild;
Whisp'ring to the shady grove
Tender strains of artless love.
Of real or of fancy'd ill,
That human life incessant feels,
Our visionary hopes or fears,
It nothing knows, and nothing cares.

Often when the streaks of morn,
First the groves and hills adorn,
When bursting on the verdant mead,
They bid the shades of night recede;
Or on the lawn clear splendors break,
And all the feather'd choir awake;
Then little red-breast takes her seat,
Near my lone—my cool, retreat,
There, in nature's melting lays,
She tunes her great Creator's praise.
Her music there so sweetly trills,
That rapture all my bosom fills.
Sweet bird! whose softly soothing strain,
Lulls the smart of fancy'd pain;
Whose tender accents, mild and clear,
Seize the heart, and charm the ear.
And when, remote from reason's coast,
On mental mis'ry's waves we're tost,
Or fancy, overcast by glooms,
In darkness and in error roams,—
Thy voice can still the boist'rous sea;
Thy voice can bid the darkness flee.
Sweet bird! who, with the dawning
day,

Dost to thy Maker homage pay;
And when the shades of eve appear,
Off'st up thy humble pray'r,
Bidding zephyr, as he floats,
Bear to heav'n thy grateful notes.
Oh! would man (who lives like thee,
On mercy, infinite, as free)
Like thee, in nature's language raise
His morning and his ev'ning praise;
Render to the "Source of bliss,"
That tribute, which by right is his;
His soul would then such feelings know,
As but from heav'nly fountains flow,
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And by thy fair example taught,
Could I oft clothe the grateful thought,
In tenderly expressive lays,
And thus exalt my Maker's praise,
Sure affections, soft and kind,
Would spring to gild and bless my
mind.

Songster of the lonely vale!
Often, when thy plaintive tale,
Trilling from some thicket near,
Vibrates on my raptur'd ear,
Thy strains, so sweet, yet sadly slow—
That all my heart's dissolv'd in woe.
Oft I conceive, in this retreat
Thou sitt'st to mourn thine absent
mate;

Or near yon gently murmur'ing flood,
Deplor'st thy lost—thy hapless brood.
Perhaps whilst here thou sweetly
sung,

Some serpent stole thy new-fledg'd
young;
Or boys, perhaps, in cruel play,
Have borne thy tender care away.
If such has been thy case, sweet bird,
For this if flow'd the strains I heard,
Tho' great the cause, and just the woe,
Sure I can sympathize with you.
I had a friend—nay still he is,
Whose pleasure is my highest bliss—
Whose heart is kind, whose soul sincere,
Whose welfare, as my life, is dear—
Whose breast has felt the shafts of pain
Struck deep into the tend'rest vein—
Whose soul has known sharp pangs of
grief,

Beyond expression and relief.

Like thee, sweet warbler! he'd a
mate

Kind in her heart; in temper, sweet;
In manners, mild;—appearance, fair;
Her bosom, gentle; judgment, clear;
Devote to friends; to strangers, kind;
Benign her looks, and meek her mind.
Her heart she *would not think* her own;
Her best affections all had flown;
They rested on her little brood:
I was her son—and oh, I lov'd.

For num'rous years, quite uncon-
troul'd

Joy's crystal currents smoothly roll'd;
No strife nor care our lives annoy'd;
No broils, domestic peace, destroy'd,
[S]

The purest bliss each hour beguil'd,
Heav'n, nature, and the world, all
smil'd.

But, ah! how dark a change was near!
No more did pleasing scenes appear;
Clouds of distress, collecting fast,
Joy's whole horizon soon o'ercast.
We hop'd—we fear'd—but all in vain;
Our hopes were dash'd:—bliss turn'd
to pain.

Two brothers first, of tender years,
Whose brows were yet unmark'd with
cres—

Whose souls were gen'rous, as their
birth—

Whose virtues were just op'ning forth,
At once were summon'd—*friendship*
sign'd,

Affection wept—but oh!—they dy'd.

Tho' hard this stroke—tho' great
our woe,

We felt too soon a heavier blow.

That tender parent—loving wife,

The glory of domestic life—

The boast of friends—her husband's
pride,

The poor man's trust, her children's
guide—

Whose smiles could sinking hope en-
liv'n,

Who shew'd and led the way to heav'n;

Pour'd pious precepts on our ear,
And with her precepts, join'd her pray'rs
That best of mothers—best of wives,
Oh! can I say—no more survives—

Burst, sorrow! burst, and soothe the
smart,

That tortures and consumes my heart.
Shall ev'ry softer charm we praise,
Each *christian* and *domestic* grace,
Forake us, never to return?

And shall not *filial fondness* mourn?
Tho' more than twice two years have
flown,

Since to the vale of death she's gone;
Yet oft, by ope and duty taught,
On her I fix the tender thought.

For her, escapes the sigh sincere;
For her I drop the pious tear.

Dear angel (for in heav'n you dwell)
And taste delight, no tongue can tell.

Shall not thy secret influence still
Sway my heart and rule my will?

Arrest me, if inclin'd to stray;

And keep my feet in virtue's way?

Sweet parent! yes! my willing feet
Shall tread the path, which thou hast
set.

Thy *precept* and *example*, join'd,
Shall be the pole-star of my mind,
Till this fond heart shall cease to beat,
Till thou and I in heav'n shall meet.]

SELECTED POETRY.

STANZAS,

Addressed to the ladies, on maternal duty.

YE fair, for whom the hands of Hymen weave
The nuptial wreath, to deck your virgin brow;
While pleasing pains the conscious bosom heave,
And on the kindling cheeks the blushes glow:

For you who bear a mother's sacred name,
Whose cradled offspring, in lamenting strain,
With artless eloquence asserts his claim,
The boon of nature—but asserts in vain!

Say, why, illustrious daughters of the great,
Lives not the nursing at your tender breast—
By you protected in his frail estate,
By you attended, and by you carest?

To foreign hands, alas! can you resign
The parent's task, the mother's pleasing care?
To foreign hands the smiling babe consign,

While nature starts, and Hymen sheds a tear !
 When, 'midst the polish'd circle you rejoice,
 Or roving join fantastic pleasure's train ;
 Unheard, perchance, the murd'ring lifts his voice,
 His tears unnotic'd, and unsooth'd his pain !
 Ah ! what avails the coral, crown'd with gold,
 In headless infancy the title vain ;
 The colours gay that gaudy scarfs unfold,
 The splendid nurser'y, and th' attendant train ?
 Far better hadst thou first beheld the light
 Beneath the rafter of some roof obscure !
 There in a mother's eye to read delight,
 And in her cradling arms repose secure !
 The flow'ret, ravish'd from its native air,
 And bid to flourish in a foreign vale,
 Does it not oft elude the planter's care,
 And breathe its dying odours on the gale ?
 For you, ye plighted fair, when hymen crowns
 With tender offspring your unshaken love ;
 Behold them not with rigour's chilling frowns,
 Nor from your sight unfeelingly remove !
 Unsway'd by fashion's dull, unseemly jest,
 Still to the bosom let your infant cling ;
 There banquet oft, an ever-welcome guest,
 Unblam'd, inebriate at that healthful spring !
 With fond solicitude, each pain assuage,
 Explain the look, awake the ready smile ;
 Unfeign'd attachment so shall you engage,
 To crown, with gratitude, maternal toil !

An elegy to the memory of the American volunteers, who fell in the engagement between the Massachusetts-Bay militia, and the British troops, April 19, 1775.

LET Joy be dumb ! let Mirth's gay carol cease !
 See ! plaintive Sorrow comes, bedew'd with tears :
 With mournful steps, retires the cherub Peace ;
 And horrid War, with all his train appears.

He comes ; and crimson Slaughter marks his way ;
 Stern Famine follows in his vengeful tread :
 Before him, Pleasure, Hope, and Love decay ;
 And meek-ey'd Mercy hangs the drooping head.

Fled, like a dream, are those delightful hours,
 When here, with innocence and peace we rov'd
 Secure, and happy, in our native bow'rs,
 Blest in the presence of the youths we lov'd.

The blow is struck, which, thro' each future age,
 Shall call from pity's eye the frequent tear ;
 Which gives the brother to the brother's rage,
 And stains, with British blood, the British spear.

Where'er the barb'rous story shall be told,
 The British cheek shall glow with conscious shame ;
 This deed, in bloody characters enroll'd,
 Shall cloud the lustre of their former name,

But you, ye brave defenders of our cause,
 The first, in this dire contest, call'd to bleed,
 Your name, hereafter crown'd with just applause,
Each manly breast, with *joy-mixt* woe, shall read ;

Your mem'ries, dear to ev'ry free-born mind,
 Shall need no monument, your fame to raise—
 Forever in our grateful hearts enshrin'd ;
 And honour'd by your grateful country's praise.

But oh ! permit the muse, with grief sincere,
 The widow's heart-felt anguish to bemoan,
 To join the sister's, and the orphan's tear,
 Whom this sad day, from all they lov'd, has torn,

Blest be this humble strain, if it imparts
 The dawning of peace, ev'n to one pensive breast,
 If it can hush one sigh, that rends your hearts,
 Or lull your sorrows to a short-liv'd rest.

But vain the hope ;—too well this bosom knows,
 How faint is glory's voice, to nature's calls ;
 How weak a balm the laurel wreath bestows,
 To heal our breasts, when love or friendship falls.

Yet think, they, in their country's cause, expir'd,
 While guardian angels watch'd their parting sighs ;
 Their dying breasts with constancy inspir'd,
 And bade them welcome to their native skies.

Our future fate is wrapt in darkest gloom,
 And threat'ning clouds, from which their souls are free'd ;
 Ere the big tempest burst, they press the tomb,
 Not doom'd to see their much lov'd country bleed.

O ! let such thoughts as these assuage your grief,
 And stop the tear of sorrow, as it flows ;
 Till TIME, with lenient hand, shall yield relief,
 And shed a kind oblivion o'er your woes.

But oh ! thou Being, infinitely just,
 Whose boundless eye, with mercy, looks on all,
 On thee alone thy humbled people trust ;
 On thee alone, for their deliv'rance, call.

Long did thy hand unnumber'd blessings show'r,
 And crown our land with liberty and peace :
 Extend, O Lord, again thy saving pow'r,
 And bid the horrors of invasion cease.

But if thy awful wisdom has decreed,
 That we shall yet severer evils know,
 By thy almighty justice doom'd to bleed,
 And deeper drink the bitter draughts of woe ;—

In pity, grant us that unshaken mind,
 Which, over adverse fortune, rises still—

With constant faith—calm fortitude resign'd—
And full submission to thy holy will!

To thee, *eternal parent*, we resign

Our bleeding cause; and, on thy wisdom, rest:

With grateful hearts, we bless thy pow'r divine;

And own, resign'd "*What ever is, is best.*"

Philad. May 2, 1775.

S Y L V I A.

EPILOGUE,

Spoken by Mrs. Henry, at the theatre, in New York.

(Written by the author of "American Slaveryism.")

GOOD truth! that they should ever pitch on me,
The company's ambassadors to be!—

I, who so oft appear with *face of woe*,

Am sent, their *cheerful* gratitude to show.

"Now had they wish'd to send some mournful phiz,

"To deprecate your wrath, and stop a *biff*—

"Or had some author, who, in doleful dumps,

"Trembled, for fear his cards should not prove trumps,

"In green-room quaking, like some half-drown'd whelp,

"In piteous tone, half dead, demanded help;

"Then should I, in my element have been,

"And swept the boards, like any tragic queen—

"Have knit my brows, and told my whining ditty—

"Such faces made, as must have mov'd your pity.—

"But now I shall not do my duty half;

"I'm one of those who scarce know how to laugh:

"Tho' for the soul of me, I can't conceive,

"How any reason I can find to grieve:"

Good benefits, in spite of our demerits,

Have giv'n us all a mighty flow of spirits;

And though I am not equal to my part,

'Tis not because of an ungrateful heart;

I feel the favours we each night receive,

And shall be thankful, long as I may live.—

Not I alone—I represent them all—

And for the task, indeed, I am too small:

For boundless gratitude we sure must feel,

Whilst, without bounds, your favours thus you deal.

(In distress, and looking for the prompter.)

Oh dear—I'm out—what's next—speak, Mr. GAY,

Oh dear—he's gone—and I have nought to say—

(Sombdy behind the curtain.)

Something about the stage—

(Mrs. Henry.) Aye, aye, the stage—

That must improve, in this improving age.

When Greece was free, and Athens "bore the bell,"

The stage was virtue's school, as authors tell,

There, from the boards, just sentiment and truth,

By age applauded, form'd the minds of youth:

With LIBERTY, the muses love to dwell—

And liberty gains ground, newspapers tell.

What think ye?—May not truth, flash'd from the stage,
 Help to keep up this truly glorious rage?
 Perhaps some politician there in front,
 Cries, "Mrs. Henry, what do you think on't?"
 Why troth, sir, if I must give my opinion,
 As men gain knowledge—freedom gains dominion;
 For, as I heard, my dear good husband say,
 (As we were coming to rehearse to-day)
 "That man, who knows the rights which nature gave,
 And is not *free*, deserves to be a slave."
 Now from the stage, may not those rights be shown,
 And all man's privileges truly known?—
 They may!—and under guidance of your taste,
 Each day our scenes improve, and grow more chaste.
 While thus encourag'd, ardently we'll strive,
 And do our best, to keep the flame alive:
 The glorious flame! whose first unsteady blaze,
 Will soon be fix'd, as sol's all-cheering rays;
 Dart thro' the wide expanse, illumine mankind;—
 E'en Asia's sons no longer shall be blind,
 But join the *one great cause of LIBERTY*:
 Whilst the world's voice cries—"Greatly dare be free."
 But 'midst this joy, what mean those dismal groans?
 Ah! sure they come from Afric's fable sons!
 Oh let not truth offend!—wipe out the stain!—
 Shall freedom's sons on others put the chain?
 Detested thought!—soon may we hope to see
 Columbia, Europe, Asia, Afric, free,
 One genius reign through all—*Eternal liberty*! }
 And now alas! we come to taking leave—
 Cheer'd with applause, we know not how to grieve;
 Love, duty, sorrow, fill our hearts in turn,
 But above all with gratitude they burn;
 During our absence we will strive to prove,
 The worthy objects of your *future love*.

NOTE.

The lines marked with inverted commas, were omitted by Mrs. Henry.

—●●●—
 PROLOGUE,

To the WIDOW of MALABAR,

OR,

The tyranny of custom:

A Tragedy.—Imitated from the French of M. le Mierre.

Spoken by Mr. Hallam.

THE Gallic muse, this night, prepares our tale,
 And shews, what rites in other lands prevail:
 Displays the widow'd fair a sacrifice,
 And draws compassion's drops from melting eyes.
 Oh! if your hearts have ever learn'd to feel,
 Let sweet compassion o'er your bosom steal;
 Believe the plot, from eastern story, true,
 Believe, the shores of Malabar ye view!
 The haughty Bramin, with imperious smile,
 Propels the fair one to the fun'ral pile:
 There—secher mounting, with retorted eyes,

And hear 'midst bursting flames, her dying cries!

Such tragic strains the noblest charms disperse,
To purge the passions, and refine the sense:
Each virtuous tear confers a new-born grace,
And adds fresh beauty to the fairest face.

Oh! born to bless, and meliorate mankind,
With manners winning, and with taste refin'd,
What wrongs, *ye fair!* your gentle bosoms bore,
In each rude age—on ev'ry barb'rous shore!
Doom'd the mean vassals of unfeeling lords,
By western savages, and Tartar hords!
Through Asian climes, see custom reason braves,
And marks the fairest of their sex for slaves:
Hearts form'd for love—but doom'd in vain to glow,
In prison'd pomp, and weep in splendid woe:
Or see their fate in India more severe,
The sad companions of a husband's bier!

Not such their doom, where genial science shines,
And heaven-born freedom human souls refines;
Where polish'd manners social life improve,
And teach us to respect the sex we love;
Confirm their claims in equal rights to share,
Friends in our bliss, and partners in our care.
And hail, *ye fair* of ev'ry charm possess'd,
Who grace this rising empire of the west;
With better fates, and nobler genius born,
Your sex to honour and your land adorn;
In this blest age, to share our fond regard,
The friends of heroes and their best reward!

Yet when o'er foreign woes ye shed a tear,
And find your bliss by contrast still more dear:
With humble joy, adore th' Almighty hand,
Which fix'd your birth in this auspicious land!

Ye gen'rous patrons, who protect our stage,
Friends to the arts and guardians of the age;
To tragic woes now lend the list'ning ear,
Attend with candour, with indulgence hear!
While we display, in pleading nature's cause,
Our best attempts to merit your applause!

A winter-piece. By the rev. Joseph Lambrop.

SURLY Winter now returns;
Nature droops her head, and mourns,
Sol's oblique descending ray
Lends a faint and transient day;
Night the realms of day invades,
And her dark dominion spreads.

Brooks no more meand'ring run,
Streams are harden'd into stone;

Where the boatman oft has ply'd,
Pond'rous sleds securely glide.

Naked and deform'd are seen
Meadows, lately dress'd in green.
Groves and fields are disarray'd;
Leaves are wither'd; dry'd the blade
Songsters of the wood are flown,
All their cheerful music gone;
Not a swallow strains his throat,
The lark forgets his sprightly note;

Zephyrs, with their gentle breeze,
Sport no more along the trees :
Winds in angry murmurs howl,
Skies with gath'ring tempests fowl ;
Proudest forests humbly bend ;
Thick the woolly flakes descend.
See, how fast the valley fills !
How the driving snow-bank swells !
Batt'ring hail-stones urge the hind,
Refuge in her shed to find ;
Trembling stands the hardy steer,
Lowing for the master's care.

Farmers now their stables tend,
And from storms the herds defend ;
Load with new-thresh'd grain the floor ;
Prudent deal the winter's store ;
Shiv'ring from the cold retire ;
Heap fresh fuel on the fire ;
From the evening borrow day,
Drive the piercing frosts away ;
Sit secure within the doors,
And defy the storm that roars ;
With a book, or chat, deceive
The slow hours of winter's eve ;
Teach the list'ning youths the lore,
Which their grandfathers taught before ;
And their admiration raise
With good things of ancient days :
Or the works of distant climes,
Or the news of modern times.
Thus dull winter rolls away :
Thus we pass the irksome day.

Ah ! a deadlier winter speeds—
Winter which no spring succeeds.
When our blooming youth is gone,
And our frosty age comes on,
Then no more will spring return—
Age is hopeless—age forlorn—
Hopeless ?—no—the silver'd head
Shews, the storms of life are fled :
So the sunshine tips the hills,
As it lowering clouds dispels.

Happy christian, who has trod
All the length of virtue's road,
From the goal his eye can cast
Back on storms and dangers past,
And with hope anticipate
Pleasures of the heav'nly state !
When is clos'd this varied scene,
Calmer seasons then begin.

A CHRISTMAS ODE.

First shepherd.

AT this unwonted hour, behold—
What strikes my wond'ring soul
with fear—

How all yon east is streak'd with gold !
As if the op'ning morn was near !

Second shepherd.

I mark it !—now the streams unite !
One pillar now, of moving light !
My soul too shakes !—it sinks !—it
dies !

See ! through the air the vision flies !

Third shepherd.

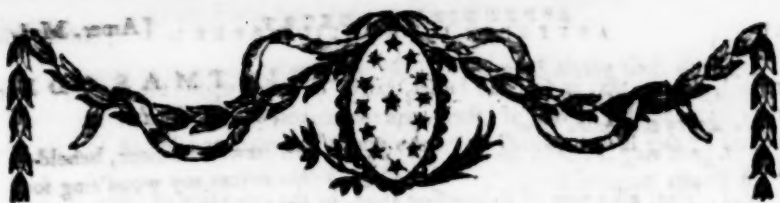
Heav'n shield us !—lo, 'tis just at hand !
Some strange event impends !
O'er head direct, it seems to stand !
And now the blaze descends !

Gabriel.

Ye shepherds ! all your fears resign !
I come, not arm'd with wrath divine !
But fraught with heav'nly love !
The news, the welcome news, I bring !
Sounds high from ev'ry sacred firing
Thro' all yon realms above !
I come ! (and 'tis a blest employ)
I come, the messenger of joy !
Go ! publish what I sing.
Earth is no more a scene forlorn !
This night, a promis'd Christ is born !
Your Saviour and your king !
At Bethle'm, in a manger, lies
The swaddled babe ! let raptures rise
Round this terrestrial ball !
The raptures catch from heart to heart !
'Till all shall feel, let all impart !
For Christ was born for all !

Chorus of angels.

Glory to God, in strains 'till now un-
known,
From ev'ry glowing seraph round his
throne !
Peace to this globe ! all worlds admire
the plan
Of heav'n's free, vast benevolence to man.



A P P E N D I X II.

PUBLIC PAPERS.

Ratification of the constitution of the united states by the convention of the state of Rhode Island and Providence plantations.

WE, the delegates of the people of the state of Rhode Island and Providence plantations, duly elected and met in convention, having maturely considered the constitution of the united states of America, agreed to on the 17th day of September, 1787, by the convention then assembled at Philadelphia, in the commonwealth of Pennsylvania; and having also seriously and deliberately considered the present situation of this state, do declare and make known,

I. That there are certain natural rights, of which men, when they form a social compact, cannot deprive or divest their posterity—among which are the enjoyment of life and liberty, with the means of acquiring, possessing, and protecting property, and pursuing and obtaining happiness and safety.

II. That all power is naturally vested in, and consequently derived from, the people; that magistrates, therefore, are their trustees and agents, and at all times amenable to them.

III. That the powers of government may be re-assumed by the people, whenever it shall become necessary to their happiness; that the rights of the states respectively to nominate and appoint all state officers—and every other power, jurisdiction and right, which is not by the said constitution clearly delegated to the congress of the united states, or the department of government thereof, remains to the people of the several states, or to their respective state governments, to whom they may have granted the same; and that those clauses in the constitution, which declare that congress shall not have or exercise certain powers, do not imply that congress is entitled to any powers not given by the said constitution: but such clauses are to be construed either as exceptions to certain specified powers, or as inserted merely for greater caution.

IV. That religion, or the duty which we owe to our Creator, and the manner of discharging it, can be directed only by reason and conviction, not by force or violence; and therefore all men have an equal, natural, and unalienable right to the free exercise of religion, according to the dictates of conscience; and that no particular religious sect or society ought to be favoured or established by law, in preference to others.

V. That the legislative, executive, and judiciary powers of government should be separate and distinct; and that the members of the two first may be restrained from oppression, by feeling and participating the public burdens, they should at fixed periods be reduced to a private station, return into the mass of the people, and the vacancies be supplied by certain and regular elections; in which all or any part of the former members to be eligible or ineligible, as the rules of the constitution of government and the laws shall direct.

VI. That elections of representatives in the legislature ought to be free and frequent; and all men having sufficient evidence of permanent common interest with, and attachment to, the community, ought to have the right of suffrage: and

no aid, charge, tax, or fee, can be set, rated, or levied upon the people, without their own consent, or that of their representatives, so elected; nor can they be bound by any law, to which they have not in like manner assented for the public good.

VII. That all power of suspending laws, or the execution of laws, by any authority, without the consent of the representatives of the people in the legislature, is injurious to their rights, and ought not to be exercised.

VIII. That in all capital and criminal prosecutions, a man hath a right to demand the cause and nature of his accusation—to be confronted with the accusers and witnesses—to call for evidence, and be allowed counsel in his favour—and to a fair and speedy trial by an impartial jury of his vicinage, without whose unanimous consent he cannot be found guilty (except in the government of the land and naval forces): nor can he be compelled to give evidence against himself.

IX. That no freeman ought to be taken, imprisoned, or disfiled of his freehold, liberties, privileges, or franchises, or outlawed, or exiled, or in any manner destroyed, or deprived of his life, liberty, or property, but by the trial by jury, or by the law of the land.

X. That every freeman, restrained of his liberty, is entitled to a remedy, to enquire into the lawfulness thereof, and to remove the same, if unlawful; and that such remedy ought not to be denied or delayed.

XI. That in controversies, respecting property, and in suits between man and man, the ancient trial by jury, as has been exercised by us and our ancestors, from the time whereof the memory of man is not to the contrary, is one of the greatest securities to the rights of the people, and ought to remain sacred and inviolate.

XII. That every freeman ought to obtain right and justice freely, and without sale—completely, and without denial—promptly, and without delay; and that all establishments or regulations, contravening these rights, are oppressive and unjust.

XIII. That excessive bail ought not to be required—nor excessive fines imposed—nor cruel, unusual punishments inflicted.

XIV. That every person has a right to be secure from all unreasonable searches and seizures of his person, papers, or his property; and therefore that all warrants to search suspected places, or seize any person, his papers, or his property, without information upon oath, or affirmation, of sufficient cause, are grievous and oppressive; and that all general warrants (or such in which the place or person suspected are not particularly designated) are dangerous, and ought not to be granted.

XV. That the people have a right to freedom of speech, and of writing and publishing their sentiments; that the freedom of the press is one of the greatest bulwarks of liberty, and ought not to be violated.

XVI. That the people have a right peaceably to assemble together, to consult for their common good, or instruct their representatives; and that every person has a right to petition, or apply to the legislature, for redress of grievances.

XVII. That the people have a right to keep and bear arms; that a well regulated militia, including the body of the people capable of bearing arms, is the proper, natural, and safe defence of a free state; that the militia shall not be subject to martial law, except in time of war, rebellion, or insurrection;—that standing armies, in time of peace, are dangerous to liberty, and ought not to be kept up, except in cases of necessity; and that at all times the military should be under strict subordination to the civil power: that in time of peace no soldier ought to be quartered in any house without the consent of the owner—and in time of war, only by the civil magistrate, in such manner as the law directs.

XVIII. That any person religiously scrupulous of bearing arms, ought to be

exempted, upon payment of an equivalent to employ another to bear arms in his stead.

Under these impressions, and declaring that the rights aforesaid cannot be abridged or violated, and that the explanations aforesaid are consistent with the said constitution—and in confidence that the amendments hereafter mentioned, will receive an early and mature consideration—and, conformably to the fifth article of the said constitution, speedily become a part thereof:—We the said delegates, in the name and behalf of the people of the state of Rhode Island and Providence plantations, DO, by these presents, **ASSENT TO AND RATIFY THE SAID CONSTITUTION**:—In full confidence, nevertheless, that until the amendments hereafter proposed, shall be agreed to, and ratified, pursuant to the aforesaid fifth article, the militia of this state will not be continued in service, out of this state, for a longer term than six weeks, without the consent of the legislature thereof; that the congress will not make or alter any regulations in this state, respecting the times, places, and manner, of holding elections for senators or representatives, unless the legislature of this state shall neglect or refuse to make laws or regulations for the purpose—or, from any circumstance be incapable of making the same—and that in those cases, such power will only be exercised until the legislature of this state shall make provision in the premises—that congress will not lay direct taxes within this state, but when the monies, arising from the impost, tonnage, and excise, shall be insufficient for the public exigencies; nor until congress shall have first made a requisition upon this state, to assess, levy, and pay the amount of such requisition, made agreeable to the census fixed in the said constitution, in such way and manner as the legislature of this state shall judge best; and that the congress will not lay or make any capitation or poll-tax.

Done in convention, at Newport, in the county of Newport, in the state of Rhode Island and Providence plantations, the 29th day of May, in the year of our Lord one thousand seven hundred and ninety, and in the fourteenth year of the independence of the united states of America.

DANIEL OWEN, PRESIDENT.

ATTEST,

DANIEL UPDIKE, SEC'RY.

AND the convention do, in the name and behalf of the people of the state of Rhode Island and Providence plantations, enjoin it upon the senators and representative or representatives, which may be elected to represent this state in congress, to exert all their influence, and use all reasonable means to obtain a ratification of the following amendments to the said constitution in the manner prescribed therein—and in all laws, to be passed by the congress in the mean time, to conform to the spirit of the said amendments, as far as the constitution will admit:

A M E N D M E N T S.

I. THE united states shall guarantee to each state its sovereignty, freedom, and independence, and every power, jurisdiction, and right, which is not by the constitution expressly delegated to the united states.

II. That congress shall not alter, modify, or interfere in, the times, places, and manner, of holding elections for senators and representatives, or either of them—except when the legislature of any state shall neglect, refuse, or be disabled by invasion, or rebellion, to prescribe the same;—or in cases when the provision, made by the states, is so imperfect as that no consequent election is had; and then only until the legislature of such state shall make provision in the premises.

III. It is declared by the convention, that the judicial power of the united states, in cases in which a state may be a party, does not extend to criminal prosecutions, or to authorise any suit by any person against a state: but to remove all doubts or controversies respecting the same, that it be especially expressed, as a part of the constitution of the united states, that congress shall not, directly

or indirectly, either by themselves or through the judiciary, interfere with any one of the states, in the redemption of the paper money already emitted, and now in circulation, or in liquidating and discharging the public securities of any state; that each and every state shall have the exclusive right of making such laws and regulations, for the before mentioned purposes, as they shall think proper.

IV. That no amendments to the constitution of the united states, hereafter to be made, pursuant to the fifth article, shall take effect, or become a part of the constitution of the united states, after the year 1793, without the consent of eleven of the states heretofore united under one confederation.

V. That the judicial power of the united states, shall extend to no possible case, where the cause of action shall have originated before the ratification of this constitution, except in disputes between states about their territory—disputes between persons claiming lands under grants of different states—and debts due to the united states.

VI. No person shall be compelled to do military duty, otherwise than by voluntary enlistment, except in cases of general invasion; any thing in the second paragraph, of the sixth article of the constitution, or any law made under the constitution to the contrary notwithstanding.

VII. That no capitation or poll-tax shall ever be laid by congress.

VIII. In cases of direct taxes, congress shall first make requisitions on the several states, to assess, levy, and pay their respective proportions of such requisitions, in such way and manner as the legislatures of the respective states shall judge best. And in case any state shall neglect or refuse to pay its proportion, pursuant to such requisition, then congress may assess and levy such state's proportion, together with interest at the rate of six per cent. per annum, from the time prescribed in such requisition.

IX. The congress shall lay no direct taxes, without the consent of the legislatures of three fourths of the states of the union.

X. That the journals of the proceedings of the senate and house of representatives shall be published, as soon as conveniently may be, at least once in every year, except such parts thereof, relating to treaties, alliances, or military operations, as, in their judgment, require secrecy.

XI. That regular statements of the receipts and expenditures of all public monies shall be published at least once a year.

XII. As standing armies, in time of peace, are dangerous to liberty, and ought not to be kept up, except in case of necessity—and as at all times the military should be under strict subordination to the civil power—that therefore no standing army of regular troops, shall be raised or kept up in time of peace.

XIII. That no monies be borrowed on the credit of the united states, without the assent of two thirds of the senators and representatives present in each house.

XIV. That congress shall not declare war, without the concurrence of two thirds of the senators and representatives present in each house.

XV. That the words, "without the consent of congress," in the seventh clause in the ninth section of the first article of the constitution, be expunged.

XVI. That no judge of the supreme court of the united states, shall hold any office under the united states, or any of them; nor shall any officer appointed by congress, or by the president and senate of the united states, be permitted to hold any office under the appointment of any of the states.

XVII. As a traffic tending to establish or continue the slavery of any part of the human species, is disgraceful to the cause of liberty and humanity—that congress shall, as soon as may be, promote and establish such laws and regulations as may effectually prevent the importation of slaves of every description, into the united states.

XVIII. That the state legislatures have power to recal, when they think it expedient, their federal senators, and to send others in their stead.

XIX. That congress have power to establish a uniform rule of inhabitancy in the settlement of the poor of the different states throughout the united states.

XX. That congress erect no company, with exclusive advantages of commerce.



To the honourable the house of representatives of the united states, the humble memorial and remonstrance of the manufacturers of tobacco, in the city of Philadelphia,

Most respectfully shew :

THAT your memorialists observe, with anxiety and regret, that the report, presented by the secretary of the treasury, to your honourable house, in obedience to an order of the 2d instant, contains a proposition, that, towards the establishment of funds for the payment of interest on the debts of the individual states, a tax, excessive in its degree, and pernicious in its nature, should be laid on snuff, and other manufactured tobacco, made within the united states. Your memorialists, regarding this measure in a light as unfavourable to the national prosperity, as to their interests, are confident that your honourable house will give an attentive consideration to their address, which, aiming to avert a private evil, is likewise calculated to prevent a public injury.

For, your memorialists with great deference beg leave to remark, that the importance of manufactories to the wealth and strength of nations, has long been experienced and acknowledged. The comparative superiority of the sovereignties of Europe, rests principally on this foundation : and the internal order and happiness of every populous country, may generally be estimated by the degree of encouragement which its industrious manufacturers enjoy. This opinion, sanctioned by the authority of the ablest writers, receives a striking confirmation from the past embarrassments of America, and from the present sentiments of her citizens. Destitute of manufactories, the glorious cause of her liberty was endangered, by the want of means to support a war : and relying, in peace, upon the arts of other communities, for the comforts and conveniences of life, not only have her riches been lavished, as the reward of foreign industry, but her character has been slandered and degraded in the prosecution of an unequal commerce. At length, however, a just sense of these disadvantages, has kindled a patriotic flame throughout the union. Societies have been formed in almost every state, to introduce, encourage, and protect domestic manufactures : and the independence of America, in arts as well as government, must speedily be made perfect, unless (an event that cannot, indeed, be reasonably presumed) the hand of power shall prematurely shackle with a tax, those exertions, which the wise and the virtuous would stimulate with a bounty.

Your memorialists are aware, that, in some countries, where manufactories have long flourished, and where the expenses of government, or the incumbrances of debt, have left no resource untried, the labour and ingenuity of the manufacturer have been charged with a heavy contribution, in aid of the public exigencies. But they humbly contend, that a similar necessity does not here exist, and that the peculiar circumstances of America dictate a very different policy to her rulers. Will it be said, that the federal wants are so great, that they can only be supplied by the exertion of every possible resource ? Or, can it be maintained, that the infant manufactories of America, ought to be among the first objects burdened for her relief ? A doctrine of this kind, your memorialists confidently trust, will not receive the countenance of your honourable house, acquainted as you must be, with the real interests of your country, and anxious as you are, to cherish and promote them : for, its consequences (which in Europe might only be

the ruin of a few individuals, to make room for others of greater capital) would here extinguish the generous spirit of enterprise that prevails, and prove eventually fatal to the very existence of domestic manufactures.

The general principles, which your memorialists have thus humbly submitted to the consideration of your honourable house, they conceive to be applicable, in full force, to the immediate object of their memorial. They admit, that, in strictness, manufactured tobacco may be considered as a superfluity; but such, also, is the plant in its original state: and if, by a liberal encouragement, the former, with the advantage of adding the price of labour, may be rendered an article of export, as well as the latter, there can be no fair argument for taxing the manufacturer, which does not equally, at least, warrant a tax upon the planter. Your memorialists cannot, however, suppose that your honourable house, contemplating man merely in the abstract, will deem every thing to be a superfluity, which is not absolutely necessary to his existence, or, that you will consider every superfluity, whether the produce of domestic or of foreign labour, as alike the subject of revenue. The manufactory which supports many hundreds of industrious citizens, and precludes the necessity of purchasing even a superfluity from abroad, is surely entitled to the favour and protection of government; since, for whatever article the taste or caprice of mankind creates a demand, the supply must be obtained; and, as your memorialists have already represented, that country is the happiest, which obtains it from the exercise of native industry and genius.

And here, your memorialists wish to impress upon your honourable house, that the present state of the manufactory of tobacco in this country, is unequal to the proposed tax; and that so excessive an imposition must destroy the reasonable profits which capitals thus employed, ought to yield, either by diminishing the general demand and consumption, or by inducing the farmers, from Georgia to New Hampshire, to raise and manufacture the plant for their private use.

As these are the consequences which are apprehended, and not an increase of importation, the idea of laying an additional duty on foreign manufactured tobacco, in order to enable the American establishments to bear the tax (while it seems to admit that those establishments ought to be encouraged) is, in the humble opinion of your memorialists, delusive and nugatory; particularly, as it is well known, that since the commencement of the revolution, the importation of this article has almost entirely ceased. But your memorialists farther represent, that in the city of Philadelphia alone (and there is scarcely an inland town in the whole state, which does not contain one manufactory) there are, at least, thirty manufactories erected; that in these manufactories there are at least three hundred persons, men and boys, hired and maintained; that the wages and maintenance of these persons, require a constant disbursement of money; and that the sales of manufactured tobacco are only to be made upon a long and precarious credit. If, then, to the charge and risks of such a trade, a tax should now be added, as nearly equal to fifty per cent. upon the produce, your honourable house cannot but perceive the inevitable ruin that will ensue, not merely in laying waste the property which has been employed in establishing these manufactories, but in depriving a whole class of industrious citizens of their accustomed means of support.

Nor does the objection rest here: for your memorialists beg leave to observe, that this tax, operating as an excise, must be liable to the odium and corruption, which uniformly attend the collection of a revenue of that description. The quantity of tobacco manufactured, can only be ascertained by the inspection of public officers, or the oath of the party: and the woful experience of England will shew, that in the former case, collusion, infolence, and oppression are to be expected—and in the latter, evasion, fraud and perjury. If, under these circumstances, the revenue could, at all, be collected, the compensations of the numerous officers that will be required, must, in a great measure, intercept it before it reach the

federal treasury : and, upon the whole, your memorialists, with the most respectful deference, conceive, that such discontent and jealousy would be thus disseminated, not only among those who are the immediate objects of the tax, but throughout the whole body of domestic manufacturers, that the assumption of the state debts, for the accomplishment of which the measure is proposed, however salutary in other respects, would poorly atone for the consequences that would be produced on this occasion. Besides these considerations, your memorialists humbly advert to the unequal operation of the tax upon the several states : for, to the southward of Pennsylvania, the inhabitants, generally speaking, make use only of the unwrought leaf of the tobacco, and few, if any, manufactories are established. On this state, therefore, and her sister states to the northward, the whole weight of the tax, and the odious inconveniencies of its collection, must fall.

While your memorialists thus deliver their sentiments upon this important subject, they intreat your honourable house to believe, that they are not influenced by a wilful opposition to the arrangements of government, or a sinister desire to escape from a fair and equal contribution towards the national support and credit. A firm conviction, that the proposed measure would be inevitably injurious to the introduction and progress of manufactures in this country—a sincere apprehension, that, at this early period, it would involve your memorialists, their families, and their occupation, in immediate difficulties and decay—and a perfect confidence, that the wisdom and justice of your honourable house, will consider the former of these evils as a matter that ought sedulously to be avoided, and the latter, as a calamity, that ought not to be wantonly or unnecessarily produced, are the true and only grounds of this their humble address ; which, therefore, they conclude with an earnest prayer, that so much of the above-mentioned report of the secretary of the treasury, as respects the imposition of a tax on snuff, and other manufactured tobacco, within the united states, may not be adopted by your honourable house.

Philadelphia, March, 1790.



Account of the American medical society.

IN the year 1773, a number of students, who had assembled in the city of Philadelphia, from different parts of the continent, to hear the lectures of the medical professors, thought that they might derive some advantage from associating themselves, in order to discuss various questions in the healing art, and to communicate to each other their observations on different subjects. Such associations had been found highly beneficial to the students of medicine in Europe ; and it was thought might be still more so in a country, the diseases and remedies of which had not been fully explored. These ideas gave rise to the American medical society, which now ranks amongst its members many of the most respectable medical characters on this continent.

The object of this society is the promotion of medical science in general, by collecting materials for accurate histories of diseases, as they appear in this country—by recording even anomalous cases, which may have a tendency to throw light upon the nature of a particular disease, or upon some part of the animal economy—by pointing out the effects and uses of new remedies, or of those which have been already in use—by explaining the nature of various processes of the animal economy—and in short, by recording and preserving whatever may have a tendency to give more accurate ideas of the nature of diseases and of the means of removing them.

The essays, which have from time to time been read before the society, have amounted to a considerable number. As it was thought that the publication of some of them would extend the benefits of the society beyond its more immediate

members, a committee was appointed to select such essays as might appear worthy of public notice. The constitution is now published in order to shew the nature of the society, and in some measure to serve as an introduction to subsequent publications.

Constitution of the American medical society.

Art. I. The society shall be called the American medical society.

II. It shall consist of senior and junior members.

III. The officers shall be, a president, a vice-president, a treasurer, and a secretary, to be chosen by ballot on the first Monday in November annually. There shall also be a perpetual secretary. The president, treasurer, and perpetual secretary shall be elected from amongst the senior members; the vice-president and annual secretary from amongst the juniors.

IV. The president, or, in his absence, the vice-president, or eldest junior member present, shall regulate the business of the meetings, and, where the voices are equal, shall give the casting vote.

The treasurer shall collect the contributions and fines due from the members, and at the close of every session shall render an exact account of his receipts and disbursements. He shall be a resident in the city.

The perpetual secretary shall perform the office of librarian, and shall preserve the seal, and all communications made to the society. He shall be a resident in the city.

The annual secretary shall keep exact minutes of the transactions of the society, shall collect ballots, notify the election or rejection of candidates, and introduce them, when elected, to the president.

V. The election of every candidate shall be by ballot. All candidates must have been proposed at least one week before they can be ballotted for; and for their admission, the concurrence of two-thirds of the members present, shall be necessary. No candidate for junior membership shall be proposed except from the first of November, to the first of January following, inclusive. Any member, who divulges the proposal or rejection of a candidate, shall be expelled.

VI. Candidates for senior membership must be persons distinguished for medical knowledge. Those, who have been two years junior members, and such junior members, as shall during that time graduate in medicine, shall become senior members without any further election.

VII. Candidates for junior membership, shall read and defend before the society, a dissertation on some medical subject, or on some philosophical subject connected with medicine.

VIII. Every junior member, on his admission, shall sign this constitution, in testimony of his consent to be governed thereby. He shall receive a certificate of his membership, signed by the president, and sealed with the seal of the society. He shall pay into the hands of the treasurer, annually, the sum of two dollars.

IX. A majority of the junior members residing in the city, together with the seniors then present, shall constitute a quorum, competent to the transaction of all business.

X. At every stated meeting, when no candidates offer, one or more medical cases or dissertations shall be read by junior members in rotation, the subject of which shall be at the choice of the reader, who shall answer to the free and candid examination of the members, any of whom may join with him in support of his sentiments.

XI. A correct copy of every dissertation or case, read before the society, shall be delivered to the secretary, within two weeks after being read.

XII. The society shall meet on the first Monday in November annually, a notice of which shall be made by the secretary in the public papers. Meetings shall afterwards be held weekly until the second Monday in February following.

XIII. In order to the partial repeal or amendment of this constitution, a proposal to this purpose must be given to the president in writing, be read by him to the society, and entered upon the minutes two weeks before it shall be taken up for consideration; and for the adoption thereof the consent of two thirds of the members present shall be requisite. The present officers of the society are

WILLIAM SHIPPEN, M. D. *president.*

WILLIAM B. DUFFIELD, A. M. *vice-president.*

HENRY STUBER, M. B. *treasurer and perpetual secretary.*

JOHN BALDWIN, A. M. *annual secretary.*

Published by order of the society,

HENRY STUBER, *perpet. sec'y.*



Treaty of amity and commerce, between his most christian majesty, and the thirteen united states of America.

THE most christian king, and the thirteen united states of North-America, to wit, New Hampshire, Massachusetts-bay, Rhode Island, Connecticut, New York, New Jersey, Pennsylvania, Delaware, Maryland, Virginia, North Carolina, South Carolina, and Georgia, willing to fix, in an equitable and permanent manner, the rules which ought to be followed relative to the correspondence and commerce, which the two parties desire to establish between their respective countries, states, and subjects; his most christian majesty, and the said united states have judged, that the said end could not be better obtained, than by taking for the basis of their agreement, the most perfect equality and reciprocity, and by carefully avoiding all those burdensome preferences, which are usually sources of debate, embarrassments, and discontent—by leaving also each party at liberty to make, respecting navigation and commerce, those interior regulations, which it shall find most convenient to itself—and by founding the advantage of commerce solely upon reciprocal utility, and the just rules of free intercourse—reserving withal to each party, the liberty of admitting, at its pleasure, other nations to a participation of the same advantages. It is in the spirit of this intention, and to fulfil these views, that his said majesty having named and appointed for his plenipotentiary, Conrad Alexander Gerard, royal syndic of the city of Strasbourg, secretary of his majesty's council of state—and the united states on their part, having fully empowered Benjamin Franklin, deputy from the state of Pennsylvania to the general congress, and president to the convention of the said state—Silas Deane, late deputy from the state of Connecticut, to the said congress—and Arthur Lee, counsellor at law: the said respective plenipotentiaries, after exchanging their powers, and after mature deliberation, have concluded and agreed upon the following articles:

ART. I. THERE shall be a firm, inviolable, and universal peace, and a true and sincere friendship, between the most christian king, his heirs and successors, and the united states of America, and the subjects of the most christian king and of the said states, and between the countries, islands, cities, and towns, situate under the jurisdiction of the most christian king, and of the said united states, and the people and inhabitants of every degree, without exception of persons or places, and the terms herein after-mentioned, shall be perpetual between the most christian king, his heirs, and successors, and the said united states.

II. The most christian king, and the united states, engage mutually not to grant any particular favour to other nations, in respect of commerce and navigation, which shall not immediately become common to the other party, who shall enjoy the same favour freely, if the concession was freely made—or on allowing the same compensation, if the concession was conditional.

III. The subjects of the most christian king, shall pay in the ports, havens, roads, countries, islands, cities, or towns of the united states, many of them, no

other or greater duties or imposts, of what nature soever they may be, or by what name soever called, than those which the nations most favoured are or shall be obliged to pay : and they shall enjoy all the rights, liberties, privileges, immunities, and exemptions in trade, navigation, and commerce, whether in passing from one port in the said states to another, or in going to and from the same, from and to any part of the world, which the said nations do or shall enjoy.

IV. The subjects, people, and inhabitants of the said united states, and each of them, shall not pay in the ports, havens, roads, islands, cities, and places, under the domination of his most christian majesty in Europe, any other or greater duties or imposts, of what nature soever they may be, or by what name soever called, than those which the most favoured nations are or shall be obliged to pay : and they shall enjoy all the rights, liberties, privileges, immunities, and exemptions in trade, navigation, and commerce, whether in passing from one port in the said dominions in Europe to another, or in going to and from the same, from and to any part of the world, which the said nations do or shall enjoy.

V. In the above exemption is particularly comprised, the imposition of one hundred sous per ton, established in France on foreign ships, unless when the ships of the united states shall load with the merchandise of France, for another port of the said dominions : in which case, the ships shall pay the duty above mentioned, so long as other nations the most favoured shall be obliged to pay it : but it is understood, that the said united states, or any of them, are at liberty, when they shall judge it proper, to establish a duty equivalent in the same case.

VI. The most christian king shall endeavour, by all the means in his power, to protect and defend all vessels, and effects, belonging to the subjects, people, or inhabitants of the said united states, or any of them, being in his ports, havens, or roads, or on the seas near his countries, islands, cities, or towns ; and to recover and restore to the right owners, their agents, or attornies, all such vessels and effects, which shall be taken within his jurisdiction : and the ships of war of his most christian majesty, or any convoy sailing under his authority, shall upon all occasions take under their protection all vessels belonging to the subjects, people, or inhabitants of the said united states, or any of them, and holding the same course, or going the same way ; and shall defend such vessels, as long as they hold the same course, or go the same way, against all attacks, force, or violence, in the same manner as they ought to protect and defend the vessels belonging to the subjects of the most christian king.

VII. In like manner the said united states, and their ships of war sailing under their authority, shall protect and defend, conformably to the tenor of the preceding article, all the vessels and effects belonging to the subjects of the most christian king, and use all their endeavours to recover, and cause to be restored, the said vessels and effects that shall have been taken within the jurisdiction of the said united states, or any of them.

VIII. The most christian king will employ his good offices and interpositions with the king or emperor of Morocco or Fez—the regencies of Algiers, Tunis, and Tripoly, or with any of them—and also with every other prince, state, or power, of the coast of Barbary in Africa—and the subjects of the said king, emperor, states, and powers, and each of them, in order to provide, as fully and efficaciously as possible, for the benefit, conveniency, and safety of the said united states, and each of them, their subjects, people, and inhabitants, and their vessels and effects, against all violence, insults, attacks, or depredations, on the part of the said princes and states of Barbary or their subjects.

IX. The subjects, inhabitants, merchants, commanders of ships, masters, and mariners of the states, provinces, and dominions of each party respectively, shall abstain and forbear to fish in all places possessed, or which shall be possessed by the other party. The most christian king's subjects shall not fish in the havens, bays,

creeks, roads, coasts, or places, which the said united states hold, or shall hereafter hold : and in like manner, the subjects, people, and inhabitants of the united states, shall not fish in the havens, bays, creeks, roads, coasts, or places, which the most christian king possesses, or shall hereafter possess : and if any ship or vessel shall be found fishing, contrary to the tenor of this treaty, the said ship or vessel with its lading (proof being made thereof) shall be confiscated : it is, however, understood that the exclusion stipulated in the present article, shall take place only so long and so far, as the most christian king or the united states shall not in this respect have granted an exemption to some other nation.

X. The united states, their citizens, and inhabitants shall never disturb the subjects of the most christian king in the enjoyment and exercise of the right of fishing on the banks of Newfoundland—nor in the indefinite and exclusive right which belongs to them on that part of the coast of that island, which is designated by the treaty of Utrecht—nor in the right, relative to all and each of the isles, which belong to his most christian majesty, the whole conformable to the true sense of the treaties of Utrecht and Paris.

XI. The subjects and inhabitants of the said united states, shall not be reputed aubains in France; and consequently shall be exempted from the *droit d'aubaine*, or other similar duty, under what name soever. They may, by testament, donation, or otherwise, dispose of their goods, moveable and immovable in favour of such persons as to them shall seem good : and their heirs, subjects of the united states, whether in France or elsewhere, may succeed them, *ab intestat*, without being obliged to obtain letters of naturalization, and without having the effect of this concession contested or impeded, under pretext of any rights or prerogatives of provinces, cities, or private persons. And the said heirs, whether such by particular title, or *ab intestat*, shall be exempted from the duty called *droit de detraction*, or other duty of the same kind; saving nevertheless the local rights or duties, as much and as long as similar ones are not established by the united states, or any of them. The subjects of the most christian king shall enjoy on their part, in all the dominions of the said states, an entire and perfect reciprocity, relative to the stipulations contained in the present article : but it is at the same time agreed, that its contents shall not affect the laws made, or that may be made hereafter in France, against emigrations, which shall remain in all their force and vigour : and the united states on their part, or any of them, shall be at liberty to enact such laws, relative to that matter, as to them shall seem proper.

XII. The merchant-ships of either of the parties, which shall be making into a port belonging to the enemy of the other ally, and concerning whose voyage, and the species of goods on board her, there shall be just grounds of suspicion, shall be obliged to exhibit, as well upon the high seas, as in the ports and havens, not only her passports, but likewise certificates, expressly shewing that her goods are not of the number of those which have been prohibited as contraband.

XIII. If, by exhibiting of the above-said certificates, the other party discover there are any of those sorts of goods which are prohibited and declared contraband, and consigned for a port under the obedience of his enemy, it shall not be lawful to break up the hatches of such ship, or to open any chests, coffers, packs, casks, or any other vessel found therein, or to remove the smallest parcel of her goods, whether such ship belongs to subjects of France, or inhabitants of the said united states, unless the lading be brought on shore, in the presence of the officers of the court of admiralty, and an inventory thereof made : but there shall be no allowance to sell, exchange, or alienate the same in any manner, until due and lawful process shall have been had against such prohibited goods, and the court of admiralty shall, by a sentence pronounced, have confiscated the same; saving always as well the ship itself, as any other goods found therein, which by this treaty are to be esteemed free : neither may they be detained on pretence of

of their being as it were infected by the prohibited goods; much less shall they be confiscated as lawful prize: but if not the whole cargo, but only part thereof shall consist of prohibited or contraband goods, and the commander of the ship shall be ready and willing to deliver them to the captor, who has discovered them, in such case the captor having received those goods, shall forthwith discharge the ship, and not hinder her by any means freely to prosecute the voyage on which she was bound: but in case the contraband merchandises cannot be all received on board the vessel of the captor, then the captor may, notwithstanding the offer of delivering him the contraband goods, carry the vessel into the nearest port, agreeably to what is above directed.

XIV. On the contrary, it is agreed, that whatever shall be found to be laden by the subjects and inhabitants of either party on any ship belonging to the enemies of the other, or to their subjects, the whole, although it be not of the sort of prohibited goods, may be confiscated in the same manner as if it belonged to the enemy, except such goods and merchandises as were put on board such ship before the declaration of war, or even after such declaration if so be it were done without knowledge of such declaration: so that the goods of the subjects and people of either party, whether they be of the nature of such as are prohibited or otherwise, which, as is aforesaid, were put on board any ship belonging to an enemy before the war, or after the declaration of the same, without the knowledge of it, shall no ways be liable to confiscation, but shall well and truly be restored without delay to the proprietors demanding the same; but so as that if the said merchandises be contraband, it shall not be anywise lawful to carry them afterwards to any port belonging to the enemy. The two contracting parties agree, that the term of two months being passed after the declaration of war, their respective subjects, from whatever part of the world they come, shall not plead the ignorance mentioned in this article.

XV. And that more effectual care may be taken for the security of the subjects and inhabitants of both parties, that they suffer no injury by the men of war or privateers of the other party, all the commanders of the ships of his most christian majesty and of the said united states, and all their subjects and inhabitants, shall be forbidden doing any injury or damage to the other side; and if any act to the contrary, they shall be punished: and shall moreover be bound to make satisfaction for all matter of damage, and the interest thereof, by reparation, under the pain and obligation of their persons and goods.

XVI. All ships and merchandise, of what nature soever, which shall be rescued out of the hands of any pirates or robbers on the high seas, shall be brought to some port of either state, and shall be delivered to the custody of the officers of that port, in order to be restored to the true proprietor, as soon as due and sufficient proof shall be made concerning the property thereof.

XVII. It shall be lawful for the ships of war and privateers of either party freely to carry, whithersoever they please, the ships and goods taken from their enemies, without being obliged to pay any duty to the officers of the admiralty, or any other judges: nor shall such prizes be arrested or seized, when they come to and enter the port of each party: nor shall the searchers or other officers of those places search the same, or make examination concerning the lawfulness of such prizes: but they may hoist sail at any time, and depart, and carry their prizes to the places expressed in their commissions, which the commanders of such ships of war shall be obliged to shew: on the contrary, no shelter or refuge shall be given in their ports to such as shall have made prizes of the subjects, people, or property of either of the parties; but if such shall come in, being forced by stress of weather, or the danger of the sea, all proper means shall be vigorously used, that they go out and retire from thence as soon as possible.

XVIII. If any ship, belonging to either of the parties, their people, or subjects,

shall, within the coasts or dominions of the other, stick upon the sands, or be wrecked, or suffer any other damage—all friendly assistance and relief shall be given to the persons shipwrecked, or such as shall be in danger thereof. And letters of safe-conduct shall likewise be given to them for their free and quiet passage from thence, and the return of every one to his own country.

XIX. In case the subjects and inhabitants of either party, with their shipping, whether public and of war, or private and of merchants, be forced through stress of weather, pursuit of pirates, or enemies, or any other urgent necessity for seeking shelter and harbour, to retreat and enter into any of the rivers, bays, roads, or ports belonging to the other party, they shall be received and treated with all humanity and kindness, and enjoy all friendly protection and help: and they shall be permitted to refresh and provide themselves at reasonable rates with victuals, and all things needful for the sustenance of their persons, or reparation of their ships, and convenience of their voyage: and they shall no ways be detained or hindered from returning out of the said ports or roads, but may remove and depart when and whither they please, without any let or hindrance.

XX. For the better promoting of commerce on both sides, it is agreed, that if a war should break out between the said two nations, six months after the proclamation of war shall be allowed to the merchants, in the cities and towns where they live, for selling and transporting their goods and merchandises: and if any thing be taken from them, or any injury be done them within that term, by either party, or the people or subjects of either, full satisfaction shall be made for the same.

XXI. No subject of the most christian king shall apply for or take any commission or letters of marque, for arming any ship or ships to act as privateers against the said united states, or any of them, or against the subjects, people, or inhabitants of the said united states, or any of them, or against the property of any of the inhabitants of any of them, from any prince or state with which the united states shall be at war: nor shall any citizen, subject, or inhabitant of the said united states, or any of them, apply for or take any commission or letters of marque, for arming any ship or ships to act as privateers against the subjects of the most christian king, or any of them, or the property of any of the inhabitants of any of them, from any prince or state with which the united states shall be at war: nor shall any citizen, subject, or inhabitant of the said united state, or any of them, apply for or take any commission or letters of marque for arming any ship or ships to act as privateers against the subjects of the most christian king, or any of them, or the property of any of them, from any prince or state with which the said king shall be at war: and if any person of either nation shall take such commission or letters of marque, he shall be punished as a pirate.

XXII. It shall not be lawful for any foreign privateers, not belonging to the subjects of the most christian king, nor citizens of the said united states, who have commission from any other prince or state at enmity with either nation, to fit their ships in the ports of either the one or the other of the aforesaid parties, to sell what they have taken, or in any other manner whatsoever to exchange their ships, merchandises, or any other lading: neither shall they be allowed even to purchase victuals, except such as shall be necessary for their going to the next port of that prince or state from which they have commissions.

XXIII. It shall be lawful for all and singular the subjects of the most christian king, and the citizens, people, and inhabitants of the said united states, to sail with their ships with all manner of liberty and security, no distinction being made who are the proprietors of the merchandise laden thereon, from any port to the places of those who now are or hereafter shall be at enmity with the most christian king or the united states. It shall likewise be lawful for the subjects and inhabitants aforesaid, to sail with the ships and merchandises aforemen-

tioned, and to trade with the same liberty and security from the places, ports, and havens of those who are enemies of both or either party, without any opposition or disturbance whatsoever, not only directly from the places of the enemy aforementioned, to neutral places; but also from one place belonging to an enemy, to another place belonging to an enemy, whether they be under the jurisdiction of the same prince, or under several. And it is hereby stipulated, that free ships shall also give a freedom to goods; and that every thing shall be deemed free and exempt, which shall be found on board the ships belonging to the subjects of either of the confederates, although the whole lading or any part thereof should appertain to the enemies of either, contraband goods being always excepted. It is also agreed in like manner, that the same liberty be extended to persons who are on board a free ship, with this effect, that although they be enemies to both or either party, they are not to be taken out of that free ship, unless they be soldiers and in actual service of the enemies.

XXIV. This liberty of navigation and commerce shall extend to all kinds of merchandises, except those only which are distinguished by the name of contraband, and under this name of contraband or prohibited goods shall be comprehended arms, great guns, bombs, with their fuses and other things belonging to them, cannon ball, gunpowder, match, pikes, swords, lances, spears, halberds, mortars, petards, grenades, saltpetre, muskets, musket ball, bucklers, helmets, breast plates, coats of mail, and the like kinds of arms, proper for arming soldiers, musket-rests, belts, torques with their furniture, and all other warlike instruments whatever. These merchandises which follow, shall not be reckoned among contraband or prohibited goods; that is to say, all sorts of clothes, and all other manufactures woven of any wool, flax, silk, cotton, or any other materials whatever; all kinds of wearing apparel, together with the species whereof they are used to be made; gold, and silver, as well coined as uncoined, tin, iron, latten, copper, brass, coals; as also wheat and barley, and any other kind of corn or pulse, tobacco, and likewise all manner of spices, salted and smoked flesh, salted fish, cheese and butter, beer, oils, wines, sugars, and all sorts of salts, and in general all sorts of provisions, which serve for the nourishment of mankind and the sustenance of life; furthermore, all kinds of cotton, hemp, flax, tar, pitch, ropes, cables, sails, sail-cloths, anchors, and any parts of anchors, also ships, masts, plank, boards, and beams of what trees soever; and all other things proper either for building or repairing ships, and all other goods whatever which have not been worked into the form of any instrument or thing prepared for war by land or sea, shall not be reputed contraband, much less such as have been already wrought up for any other use; all of which shall be wholly reckoned among free goods; as likewise all other merchandises and things which are not comprehended and particularly mentioned in the foregoing enumeration of contraband goods, so that they may be transported and carried in the freest manner by the subjects of both confederates, even to places belonging to an enemy—such towns or places being only excepted, as are at that time besieged, blocked up, or invested.

XXV. To the end that all manner of dissensions and quarrels may be avoided and prevented, on one side and the other, it is agreed, that in case either of the parties hereto should be engaged in war, the ships and vessels belonging to the subjects or people of the other ally, must be furnished with sea letters or passports, expressing the name, property, and bulk of the ship, as also the name and place of habitation of the master or commander of the said ship, that it may appear thereby that the ship really and truly belongs to the subjects of one of the parties, which passport shall be made out and granted according to the form annexed to this treaty. They shall likewise be recalled every year, that is, if the ship happen to return home within the space of a year; it is likewise agreed, that such ships, being laden, are to be provided not only with passports as above-mentioned, but also with

certificates, containing the several particulars of the cargo, the place whence the ship sailed, and whither she is bound; that so it may be known whether any forbidden or contraband goods be on board of the same; which certificates shall be made out by the officers of the place whence the ship set sail, in the accustomed forms: and if any one shall think it fit or adviseable to express in the said certificates the person to whom the goods on board belong, he may freely do so.

XXVI. The ships of the subjects and inhabitants of either of the parties coming upon any coast belonging to either of the said allies, but not willing to enter into port, or being entered into port, and not willing to unload their cargoes or break bulk, they shall be treated according to the general rules prescribed or to be prescribed relative to the object in question.

XXVII. If the ships of the said subjects, people, or inhabitants of either of the parties, shall be met with, either sailing along the coasts, or on the high seas, by any ships of war of the other, or by any privateers, the said ships of war or privateers for the avoiding of any disorder, shall remain out of cannon shot, and may send their boats on board the merchant ship, which they shall so meet with; and may enter her to the number of two or three men only; to whom the master or commander of such ship or vessel shall exhibit his passport, concerning the property of the ship, made out according to the form inserted in this present treaty: and the ship, when she shall have shewed such passport, shall be free and at liberty to pursue her voyage, so as it shall not be lawful to molest or search her in any manner, or to give her chase, or force her to quit her intended course.

XXVIII. It is also agreed, that all goods, when once put on board the ships or vessels of either of the two contracting parties, shall be subject to no further visitation; but all visitation or search shall be made before hand; and all prohibited goods shall be stopped on the spot before the same be put on board, unless there be manifest tokens or proofs of fraudulent practice: nor shall either the persons or goods of the subjects of his most christian majesty, or the united states, be put under any arrest, or molested by any other kind of embargo for that cause: and only the subject of that state to whom the said goods have been or shall be prohibited, and who shall presume to sell or alienate such sort of goods, shall be duly punished for the offence.

XXIX. The two contracting parties grant mutually the liberty of having each in the ports of the other, consuls, vice-consuls, agents and commissaries, whose functions shall be regulated by a particular agreement.

XXX. And the more to favour and facilitate the commerce which the subjects of the united states may have with France, the most christian king will grant them in Europe, one or more free ports, where they may bring and dispose of all the produce and merchandise of the thirteen united states: and his majesty will also continue to the subjects of the same states, the free ports which have been and are open in the French islands of America; of all which free ports the said subjects of the united states shall enjoy the use, agreeably to the regulations which relate to them.

XXXI. The present treaty shall be ratified on both sides, and the ratifications shall be exchanged in the space of six months, or sooner if possible.

In faith whereof the respective plenipotentiaries have signed the above articles, both in the French and English languages; declaring, nevertheless, that the present treaty was originally composed and concluded in the French language; and they have hereto affixed their seals.

Done at Paris, this sixth day of February, one thousand seven hundred and seventy-eight.

(L. S.) C. A. GERARD. (L. S.) SILAS DEANE.

(L. S.) B. FRANKLIN. (L. S.) ARTHUR LEE.

Form of the passports and letters, which are to be given to the ships and barques, according to the twenty-fifth article of this treaty.

To all who shall see these presents, greeting :

It is hereby made known, that leave and permission has been given to master and commander of the ship called _____ of the town of _____ burden _____ tons, or thereabouts, lying at present in the port and haven of _____ and bound for _____ and laden with _____ After that this ship has been visited, and before sailing, he shall make oath, before the officers, who have the jurisdiction of maritime affairs, that the said ship belongs to one or more of the subjects of _____ the act whereof shall be put at the end of these presents ; as likewise that he will keep, and cause to be kept by his crew on board, the marine ordinances and regulations, and enter into the proper office a list, signed and witnessed, containing the names and surnames, the places of birth and abode of the crew of his ship, and of all who shall embark on board her, whom he shall not take on board without the knowledge and permission of the officers of the marine : and in every port or haven where he shall enter with his ship, he shall shew his present leave to the officers and judges of the marine ; and shall give a faithful account to them of what passed and was done during his voyage : and he shall carry the colours, arms, and ensign of the king, or united states during his voyage. In witness whereof, we have signed these presents, and put the seal of our arms thereunto, and caused the same to be countersigned by _____ at _____ the _____ day of _____ anno Domini _____



Treaty of alliance eventual and defensive.

Louis, by the grace of God, king of France and Navarre.

THE most christian king, and the united states of North America, to wit, New Hampshire, Massachusetts-bay, Rhode island, Connecticut, New York, New Jersey, Pennsylvania, Delaware, Maryland, Virginia, North Carolina, South Carolina, and Georgia, having this day concluded a treaty of amity and commerce, for the reciprocal advantage of their subjects and citizens, have thought it necessary to take into consideration the means of strengthening those engagements, and of rendering them useful to the safety and tranquility of the two parties ; particularly in case Great Britain, in resentment of that connexion, and of the good correspondence which is the object of the said treaty, should break the peace with France, either by direct hostilities, or by hindering her commerce and navigation in a manner contrary to the rights of nations, and the peace subsisting between the two crowns. And his majesty and the said united states, having resolved in that case, to join their councils and efforts against the enterprises of their common enemy—

The respective plenipotentiaries, empowered to concert the clauses and conditions proper to fulfil the said intentions, have, after the most mature deliberation, concluded and determined on the following articles.

I. If war should break out between France and Great Britain, during the continuance of the present war between the united states and England, his majesty and the said united states shall make it a common cause, and aid each other mutually with their good offices, their counsels, and their forces, according to the exigencies of conjunctures, as becomes good and faithful allies.

II. The essential and direct end of the present defensive alliance is, to maintain effectually the liberty, sovereignty, and independence, absolute and unlimited, of the said united states, as well in matters of government, as of commerce.

III. The two contracting parties shall, each on its own part, and in the manner it may judge most proper, make all the efforts in its power against their common enemy, in order to attain the end proposed.

IV. The contracting parties agree, that in case either of them should form any

particular enterprise, in which the concurrence of the other may be desired, the party, whose concurrence is desired, shall readily and with good faith join to act in concert for that purpose, as far as circumstances and its own particular situation will permit. And in that case, they shall regulate by a particular convention, the quantity and kind of succour to be furnished, and the time and manner of its being brought into action, as well as the advantages which are to be its compensation.

V. If the united states should think fit to attempt the reduction of the British power remaining in the northern parts of America, or the islands of Bermudas, those countries or islands, in case of success, shall be confederated with, or dependent upon the said united states.

VI. The most christian king renounces forever, the possession of the islands of Bermudas, as well as of any part of the continent of North America, which before the treaty of Paris, in 1763, or in virtue of that treaty, were acknowledged to belong to the crown of Great Britain, or to the united states, heretofore called British colonies, or which are at this time, or have lately been under the power of the king and crown of Great Britain.

VII. If his most christian majesty shall think proper to attack any of the islands situated in the gulph of Mexico, or near that gulph, which are at present under the power of Great Britain, all the said isles, in case of success, shall appertain to the crown of France.

VIII. Neither of the two parties shall conclude either truce or peace with Great Britain, without the formal consent of the other first obtained: and they mutually engage not to lay down their arms, until the independence of the united states shall have been formally or tacitly assured, by the treaty or treaties that shall terminate the war.

IX. The contracting parties declare, that being resolved to fulfil each on its own part, the clauses and conditions of the present treaty of alliance, according to its own power and circumstances, there shall be no after-claims of compensation, on one side or the other, whatever may be the event of the war.

X. The most christian king and the united states agree to invite or admit other powers, who may have received injuries from England, to make a common cause with them, and to accede to the present alliance, under such conditions as shall be freely agreed to, and settled between all the parties.

XI. The two parties guarantee mutually from the present time and forever, against all other powers, to wit, the united states to his most christian majesty, the present possessions of the crown of France in America, as well as those which it may acquire by the future treaty of peace: and his most christian majesty guarantees on his part to the united states, their liberty, sovereignty, and independence, absolute and unlimited, as well in matters of government, as commerce—and also their possessions, and the additions or conquests, that their confederation may obtain during the war, from any of the dominions now or heretofore possessed by Great Britain in North America, conformable to the fifth and sixth articles above-written; the whole, as their possessions shall be fixed and assured to the said states, at the moment of the cessation of their present war with England.

XII. In order to fix more precisely the sense and application of the preceding article, the contracting parties declare, that in case of a rupture between France and England, the reciprocal guarantee declared in the said article, shall have its full force and effect, the moment such war shall break out: and if such rupture shall not take place, the mutual obligations of the said guarantee shall not commence until the moment of the cessation of the present war, between the united states and England, shall have ascertained their possessions.

XIII. The present treaty shall be ratified on both sides, and the ratifications shall be exchanged in the space of six months, or sooner if possible.

* In faith whereof the respective plenipotentiaries, to wit, on the part of the most christian king, Conrad Alexander Gerard, royal syndic of the city of Strasbourg and secretary of his majesty's council of state—and on the part of the united states, Benjamin Franklin, deputy to the general congress from the state of Pennsylvania, and president of the convention of said state—Silas Deane, heretofore deputy from the state of Connecticut—and Arthur Lee, counsellor at law, have signed the above articles both in the French and English languages; declaring, nevertheless, that the present treaty was originally composed and concluded in the French language; and have hereunto affixed their seals.

Done at Paris, this sixth day of February, one thousand seven hundred and seventy eight.

(L. S.)

C. A. GERARD.

(L. S.) SILAS DEANE.

(L. S.)

B. FRANKLIN.

(L. S.) ARTHUR LEE.



The definitive treaty between Great Britain and the united states of America; signed at Paris, September 3, 1783.

In the name of the most holy and undivided Trinity.

IT having pleased the divine providence to dispose the hearts of the most serene and most potent prince George the third, by the grace of God, king of Great Britain, France, and Ireland, defender of the faith, duke of Brunswic and Lunenburg, arch treasurer and prince elector of the holy Roman empire, &c. and of the united states of America, to forget all past misunderstandings and differences, that have unhappily interrupted the good correspondence and friendship which they mutually wish to restore—and to establish such a beneficial and satisfactory intercourse between the two countries, upon the ground of reciprocal advantages and mutual convenience, as may promote and secure to both perpetual peace and harmony—and having for this desirable end already laid the foundation of peace and reconciliation, by the provisional articles, signed at Paris, on the 30th of November 1782, by the commissioners empowered on each part, which articles were agreed to be inserted in, and to constitute the treaty of peace proposed to be concluded between the crown of Great Britain, and the said united states, but which treaty was not to be concluded until terms of peace should be agreed upon between Great Britain and France, and his Britannic majesty should be ready to conclude such treaty accordingly—and the treaty between Great Britain and France having since been concluded, his Britannic majesty and the united states of America, in order to carry into full effect the provisional articles above-mentioned, according to the tenor thereof, have constituted and appointed, that is to say, his Britannic majesty on his part, David Hartley, esq. member of the parliament of Great Britain; and the said united states on their part, John Adams, esq. late a commissioner of the united states of America, at the court of Versailles, late delegate in congress from the state of Massachusetts, and chief justice of the said state, and minister plenipotentiary of the said united states, to their high mightinesses the states-general of the united Netherlands; Benjamin Franklin, esq. late delegate in congress, from the state of Pennsylvania, president of the convention of the said state, and minister plenipotentiary from the united states of America at the court of Versailles; and John Jay, esq. late president of congress, chief justice of the state of New York, and minister plenipotentiary from the said united states at the court of Madrid—to be the plenipotentiaries for concluding and signing the present definitive treaty; who, after having reciprocally communicated their respective full powers, have agreed upon and confirmed the following articles.

Art. 1. His Britannic majesty acknowledges the said united states, viz. New Hampshire, Massachusetts-bay, Rhode Island, and Providence plantations, Connecticut, New York, New Jersey, Pennsylvania, Delaware, Maryland, Virginia,

North Carolina, South Carolina, and Georgia, to be free, sovereign, and independent states; that he treats with them as such, and for himself, his heirs and successors, relinquishes all claims to the government, propriety, and territorial rights of the same, and every part thereof.

II. And that all disputes, which might arise in future, on the subject of the boundaries of the said united states, may be prevented, it is hereby agreed and declared, that the following are and shall be their boundaries, viz. from the north-west angle of Nova Scotia, viz. That angle which is formed by a line drawn due north from the source of St. Croix river to the highlands, along the said highlands, which divide those rivers that empty themselves into the river St. Lawrence from those which fall into the Atlantic ocean, to the north-westernmost head of Connecticut river; thence down along the middle of that river to the forty-fifth degree of north latitude; from thence by a line due west on said latitude, until it strikes the river Iroquois or Cataraquy; thence along the middle of the said river into lake Ontario; through the middle of said lake until it strikes the communication by water between that lake and lake Erie; thence along the middle of said communication into lake Erie; through the middle of said lake until it arrives at the water communication between that lake and lake Huron; thence along the middle of said water communication; thence through the middle of said lake to the water communication between that lake and lake Superior; thence through lake Superior northward of the isles Royal and Philippeaux to the Long lake; thence through the middle of said Long lake and the water communication between it and the lake of the Woods, to the said lake of the Woods; thence through the said lake to the most north-western point thereof, and from thence in a due west course to the river Mississippi; thence by a line to be drawn along the middle of the said river Mississippi until it shall intersect the northernmost part of the thirty-first degree of north latitude. South, by a line to be drawn due east from the determination of the line last mentioned in the latitude of thirty-one degrees north of the equator, to the middle of the river Apalachicola, or Catahouche; thence along the middle thereof, to its junction with the Flint-river; thence straight to the head of St. Mary's river; and thence down along the middle of St. Mary's river to the Atlantic ocean. East, by a line to be drawn along the middle of the river St. Croix, from its mouth in the bay of Fundy, to its source, and from its source directly north to the aforesaid highlands, which divide the rivers that fall into the Atlantic ocean, from those which fall into the river St. Lawrence, comprehending all islands within twenty leagues of any part of the shores of the united states, and lying between lines to be drawn due east from the points where the aforesaid boundaries between Nova Scotia on the one part, and East Florida on the other, shall respectively touch the bay of Fundy, and the Atlantic ocean, excepting such islands as now are, or heretofore have been within the limits of the said province of Nova Scotia.

III. It is agreed, that the people of the united states, shall continue to enjoy, unmolested, the right to take fish of every kind on the Grand Bank, and on all the other banks of Newfoundland, also in the gulph of St. Lawrence, and at all other places in the sea, where the inhabitants of both countries used at any time heretofore to fish. And also, that the inhabitants of the united states shall have liberty to take fish of every kind on such part of the coast of Newfoundland, as British fishermen shall use (but not to dry or cure the same on that island) and also on the coasts, bays and creeks of all other of his Britannic majesty's dominions in America; and that the American fishermen shall have liberty to dry and cure fish in any of the unsettled bays, harbours and creeks of Nova Scotia, Magdalen islands, and Labrador, so long as the same shall remain unsettled; but so soon as the same or either of them shall be settled, it shall not be lawful for the said fishermen to dry or cure fish at such settlement, without a previous agreement for that purpose, with the inhabitants, proprietors, or possessors of the ground.

IV. It is agreed, that the creditors on either side, shall meet with no lawful impediment to the recovery of the full value, in sterling money, of all bona fide debts heretofore contracted.

V. It is agreed, that congress shall earnestly recommend it to the legislatures of the respective states, to provide for the restitution of all estates, rights, and properties, which have been confiscated, belonging to real British subjects; and also of the estates, rights, and properties of persons resident in districts in possession of his majesty's arms, and who have not borne arms against the said united states; and that persons of any other description, shall have free liberty to go to any part or parts of the thirteen united states, and therein to remain twelve months unmolested, in their endeavours to obtain the restitution of such of their estates, rights, and properties, as may have been confiscated; and that congress shall also earnestly recommend to the several states, a re-consideration and revision of all acts or laws respecting the premises, so as to render the said acts or laws perfectly consistent, not only with justice and equity, but with that spirit of conciliation, which, on the return of the blessings of peace, should universally prevail: and that congress shall also earnestly recommend to the several states, that the estates, rights, and properties of such last mentioned persons shall be restored to them, they refunding to any persons who may now be in possession, the bona fide price (where any has been given) which such persons may have paid, on purchasing any of the said lands, rights or properties, since the confiscation. And it is agreed, that all persons, who may have any interest in confiscated lands, either by debts, marriage-settlements, or otherwise, shall meet with no lawful impediment in the prosecution of their just rights.

VI. That there shall be no future confiscations made, nor any prosecutions commenced against any person or persons for, or by reason of the part which he or they may have taken in the present war: and that no person shall, on that account, suffer any further loss or damage, either in his person, liberty, or property: and that those, who may be in confinement on such charges, at the time of the ratification of the treaty in America, shall be immediately set at liberty, and the prosecution, so commenced, be discontinued.

VII. There shall be a firm and perpetual peace between his Britannic majesty and the said states, and between the subjects of the one, and the citizens of the other; wherefore all hostilities both by sea and land shall from henceforth cease: all prisoners on both sides shall be set at liberty: and his Britannic majesty shall, with all convenient speed, and without causing any destruction, or carrying away any negroes, or other property of the American inhabitants, withdraw all his armies, garrisons, and fleets from the said united states, and from every post, place, and harbour within the same, leaving in all fortifications the American artillery that may be therein; and shall also order and cause all archives, records, deeds, and papers belonging to any of the said states, or their citizens, which in the course of the war, may have fallen into the hands of his officers, to be forthwith restored, and delivered to the proper states and persons to whom they belong.

VIII. The navigation of the river Mississippi, from its source to the ocean, shall for ever remain free and open to the subjects of Great Britain and the citizens of the united states.

IX. In case it should so happen, that any place or territory belonging to Great Britain, or to the united states, should have been conquered by the arms of either from the other, before the arrival of the said provisional articles in America, it is agreed that the same shall be restored without difficulty, and without requiring compensation.

X. The solemn ratifications of the present treaty, expedited in good and due form, shall be exchanged between the contracting parties in the space of six months, or sooner, if possible, to be computed from the day of the signature of the present

treaty. In witness whereof, we the undersigned, their ministers plenipotentiary have in their name, and in virtue of our full powers, signed with our hands the present definitive treaty, and caused the seals of our arms to be affixed thereto. Done at Paris, September 3d, 1783.

(L. S.) JOHN ADAMS,
(L. S.) DAVID HARTLEY.

(L. S.) B. FRANKLIN,
(L. S.) JOHN JAY.

A treaty of amity and commerce between his majesty the king of Prussia, and the united states of America.

HIS majesty the king of Prussia, and the united states of America, desiring to fix, in a permanent and equitable manner, the rules to be observed in the intercourse and commerce they desire to establish between their respective countries, his majesty and the united states have judged that the said end cannot be better obtained than by taking the most perfect equality and reciprocity for the basis of their agreement.

With this view his majesty the king of Prussia has nominated and constituted as his plenipotentiary, the baron Frederick William de Thulemeier, his privy counsellor of embassy, an envoy extraordinary, with their high mightinesses the states general of the united Netherlands : and the united states, have, on their part, given full powers to John Adams, esquire, late one of their ministers plenipotentiary for negotiating a peace, heretofore a delegate in congress from the state of Massachusetts, and chief justice of the same, and now minister plenipotentiary of the united states with his Britannic majesty ; doctor Benjamin Franklin, late minister plenipotentiary at the court of Versailles, and another of their ministers plenipotentiary for negotiating a peace ; and Thomas Jefferson, heretofore a delegate in congress, from the state of Virginia, and governor of the said state, and now minister plenipotentiary of the united states at the court of his most christian majesty, which respective plenipotentiaries, after having exchanged their full powers, and on mature deliberation, have concluded, settled, and signed the following articles.

I. There shall be a firm, inviolable, and universal peace and sincere friendship between his majesty the king of Prussia, his heirs, successors and subjects, on the one part, and the united states of America, and their citizens, on the other, without exceptions of persons or places.

II. The subjects of his majesty the king of Prussia, may frequent all the coasts and countries of the united states of America, and reside and trade there in all sorts of produce, manufactures, and merchandise ; and shall pay within the said united states no other or greater duties, charges, or fees whatsoever than the most favoured nations are or shall be obliged to pay ; and they shall enjoy all the rights, privileges, and exemptions in navigation and commerce which the most favoured nation does or shall enjoy ; submitting themselves, nevertheless, to the laws and usages there established, and to which are submitted the citizens of the united states and the citizens and subjects of the most favoured nations.

III. In like manner the citizens of the united states of America may frequent all the coasts and countries of his majesty the king of Prussia, and reside and trade there in all sorts of produce, manufactures, and merchandise, and shall pay in the dominions of his said majesty, no other or greater duties, charges, or fees whatsoever, than the most favoured nation is or shall be obliged to pay ; and they shall enjoy all the rights, privileges, and exemptions in navigation and commerce, which the most favoured nation does or shall enjoy ; submitting themselves nevertheless to the laws and usages there established, and to which are submitted the subjects of his majesty the king of Prussia, and the subjects and citizens of the most favoured nations.

IV. More especially each party shall have a right to carry their own produce, manufactures and merchandise, in their own or any other vessels to any parts of the dominions of the other, where it shall be lawful for all the subjects or citizens of that other, freely to purchase them; and thence to take the produce, manufactures and merchandise of the other, which all the said citizens or subjects shall in like manner be free to sell them, paying in both cases such duties, charges and fees only, as are or shall be paid by the most favoured nation. Nevertheless the king of Prussia and the united states, and each of them, reserve to themselves the right where any nation restrains the transportation of merchandise to the vessels of the country of which it is the growth or manufacture, to establish against such nation retaliating regulations; and also the right to prohibit, in their respective countries, the importation and exportation of all merchandise whatsoever, when reasons of state shall require it. In this case the subjects or citizens of either of the contracting parties shall not import nor export the merchandise prohibited by the other; but if one of the contracting parties permit any other nation to import or export the same merchandise, the citizens or subjects of the other shall immediately enjoy the same liberty.

V. The merchants, commanders of vessels, or other subjects or citizens of either party, shall not, within the ports or jurisdiction of the other, be forced to unload any sort of merchandise into any other vessels: nor to receive them into their own, nor to wait for their being loaded longer than they please.

VI. That the vessels of either party loading within the ports or jurisdiction of the other, may not be uselessly harrassed or detained, it is agreed that all examinations of goods required by the laws, shall be made before they be laden on board the vessel, and that there shall be no examination after; nor shall the vessel be searched at any time, unless articles shall have been laden therein clandestinely and illegally; in which case the person by whose order they were carried on board, or who carried them without order, shall be liable to the laws of the land in which he is: but no other person shall be molested, nor shall any other goods, nor the vessel be seized or detained for that cause.

VII. Each party shall endeavour, by all the means in their power, to protect and defend all vessels and other effects belonging to the citizens or subjects of the other, which shall be within the extent of their jurisdiction, by sea or by land; and shall use all their efforts to recover, and cause to be restored to their right owners, their vessels and effects which shall be taken from them within the extent of their said jurisdiction.

VIII. The vessels of the subjects or citizens of either party, coming on any coast belonging to the other, but not willing to enter into port, or being entered into port, and not willing to unload their cargoes or break bulk, shall have liberty to depart, and to pursue their voyage without molestation and without being obliged to render account of their cargo, or to pay any duties, charges or fees whatsoever, except those established for vessels entered into port, and appropriated to the maintenance of the port itself, or of other establishments for the safety and convenience of navigators; which duties, charges and fees shall be the same, and shall be paid on the same footing, as in the case of subjects or citizens of the country where they are established.

IX. When any vessel of either party shall be wrecked, foundered, or otherwise damaged on the coasts, or within the dominion of the other, their respective subjects or citizens shall receive, as well for themselves as for their vessels and effects, the same assistance which would be due to the inhabitants of the country where the damage happens, and shall pay the same charges and dues only as the said inhabitants would be subject to pay in a like case; and if the operations of repair shall require that the whole or any part of their cargo be unladed, they shall pay no duties, charges or fees on the part which they shall relade and carry away.

The ancient and barbarous right of wrecks of the sea shall be entirely abolished, with respect to the subjects or citizens of the two contracting parties.

X. The citizens or subjects of each party shall have power to dispose of their personal goods within the jurisdiction of the other, by testament, donation or otherwise; and their representatives, being subjects or citizens of the other party, shall succeed to their said personal goods, whether by testament or *ab intestato*, and may take possession thereof, either by themselves, or by others acting for them, and dispose of the same at their will, paying such duties only as the inhabitants of the country, wherein the said goods are, shall be subject to pay in like cases: and in case of the absence of the representative, such care shall be taken of the said goods, and for so long a time, as would be taken of the goods of a native in like case; until the lawful owner may take measures for receiving them. And if question shall arise, among several claimants, to which of them the said goods belong, the same shall be decided finally by the laws and judges of the land wherein the said goods are. And where, on the death of any person holding real estate within the territories of the one party, such real estate would, by the laws of the land descend on a citizen or subject of the other, were he not disqualified by alienage, such subject shall be allowed a reasonable time to sell the same, and to withdraw the proceeds without molestation, and exempt from all rights of deduction on the part of the government of the respective states. But this article shall not derogate in any manner from the force of the laws already published, or hereafter to be published, by his majesty the king of Prussia, to prevent the emigration of his subjects.

XI. The most perfect freedom of conscience and of worship, is granted to the citizens or subjects of either party, within the jurisdiction of the other, without being liable to molestation in that respect, for any cause other than an insult on the religion of others. Moreover, when the subjects or citizens of the one party, shall die within the jurisdiction of the other, their bodies shall be buried in the usual burying grounds, or other decent and suitable places, and shall be protected from violation or disturbance.

XII. If one of the contracting parties should be engaged in war with any other power, the free intercourse and commerce of the subjects or citizens of the party remaining neuter, with the belligerent powers, shall not be interrupted. On the contrary, in that case, as in full peace, the vessels of the neutral party may navigate freely to and from the ports and on the coasts of the belligerent parties, free vessels making free goods; inasmuch that all things shall be adjudged free, which shall be on board any vessel belonging to the neutral party, although such things belong to an enemy of the other: and the same freedom shall be extended to persons who shall be on board a free vessel, although they should be enemies to the other party, unless they be soldiers in the actual service of such enemy.

XIII. And in the same case of one of the contracting parties being engaged in war with any other power, to prevent all the difficulties and misunderstandings that usually arise respecting the merchandise heretofore called contraband, such as arms, ammunition and military stores of every kind, no such articles, carried in the vessels, or by the subjects or citizens of one of the parties, to the enemies of the other, shall be deemed contraband, so as to induce confiscation or condemnation and a loss of property to individuals. Nevertheless, it shall be lawful to stop such vessels and articles, and to detain them for such length of time as the captors may think necessary, to prevent the inconvenience or damage that might ensue from their proceeding, paying, however, a reasonable compensation for the loss such arrest shall occasion to the proprietors: and it shall further be allowed to use in the service of the captors, the whole or any part of the military stores so detained, paying the owners the full value of the same, to be ascertained by the current price at the place of its destination. But in the case supposed, of a vessel stopped for articles heretofore deemed contraband, if the master of the vessel stopped will

deliver out the goods supposed to be of contraband nature, he shall be admitted to do it; and the vessel shall not in that case be carried into any port, nor further detained, but shall be allowed to proceed on her voyage.

XIV. And in the same case, where one of the parties is engaged in war with another power, that the vessels of the neutral party may be readily and certainly known, it is agreed, that they shall be provided with sea-letters, or passports, which shall express the name, the property, and burden of the vessel, as also the name and dwelling of the master; which passports shall be made out in good and due forms (to be settled by conventions between the parties, whenever occasions shall require); shall be renewed as often as the vessel shall return into port; and shall be exhibited, whensoever required, as well in the open sea as in port. But if the said vessel be under convoy of one or more vessels of war, belonging to the neutral party, the simple declaration of the officer commanding the convoy that the said vessel belongs to the party of which he is, shall be considered as establishing the fact; and shall relieve both parties from the trouble of further examination.

XV. And to prevent entirely all disorder and violence in such cases, it is stipulated, that when the vessels of the neutral party, sailing without convoy, shall be met by any vessel of war, public or private, of the other party, such vessel of war shall not approach within cannon shot of the said neutral vessel, nor send more than two or three men in their boat on board the same, to examine her sea-letters or passports. And all persons belonging to any vessel of war, public or private, who shall molest or injure, in any manner whatever, the people, vessels, or effects of the other party, shall be responsible in their persons and property, for damages and interest; sufficient security for which shall be given by all commanders of private armed vessels, before they are commissioned.

XVI. It is agreed, that the subjects or citizens of each of the contracting parties, their vessels and effects, shall not be liable to any embargo or detention on the part of the other, for any military expedition, or other public or private purpose whatsoever. And in all cases of seizure, detention, or arrest, for debts contracted, or offences committed by any citizen or subject of the one party, within the jurisdiction of the other, the same shall be made and prosecuted by order and authority of law only, and according to the regular course of proceedings usual in such cases.

XVII. If any vessel or effects of the neutral power be taken by an enemy of the other, or by a pirate, and retaken by that other, they shall be brought into some port of one of the parties, and delivered into the custody of the officers of that port, in order to be restored entire to the true proprietor, as soon as due proof shall be made concerning the property thereof.

XVIII. If the citizens or subjects of either party, in danger from tempests, pirates, enemies or other accident, shall take refuge, with their vessels or effects, within the harbours, or jurisdiction of the other, they shall be received, protected, and treated with humanity and kindness, and shall be permitted to furnish themselves at reasonable prices with all refreshments, provisions, and other things necessary for their sustenance, health, and accommodation, and for the repair of their vessels.

XIX. The vessels of war, public and private, of both parties, shall carry freely wheresoever they please, the vessels and effects taken from their enemies, without being obliged to pay any duties, charges, or fees, to officers of admiralty, of the customs, or any others; nor shall such prizes be arrested, searched, or put under legal process, when they come to, and enter the ports of the other party; but may freely be carried out again at any time, by their captors, to the places expressed in their commissions, which the commanding officer of such vessels shall be obliged to shew. But no vessel, which shall have made prizes on the subjects of his most christian majesty the king of France, shall have a right of asylum in the ports

or havens of the said united states : and if any such be forced therein, by tempest or dangers of the sea, they shall be obliged to depart as soon as possible, according to the tenor of the treaties existing between his said most christian majesty and the said united states.

XX. No citizen or subject of either of the contracting parties shall take, from any power with which the other may be at war, any commission or letter of marque, for arming any vessel to act as a privateer against the other, on pain of being punished as a pirate ; nor shall either party hire, lend, or give any part of their naval or military force to the enemy of the other, to aid them offensively or defensively against that other.

XXI. If the two contracting parties should be engaged in a war against a common enemy, the following points shall be observed between them :—

1st. If a vessel of one of the parties, retaken by a privateer of the other, shall not have been in possession of the enemy more than twenty-four hours, she shall be restored to the first owner for one third of the value of the vessel and cargo : but if she shall have been more than twenty-four hours in the possession of the enemy, she shall belong wholly to the recaptor. 2d. If in the same case, the recapture were by a public vessel of war of one party, restitution shall be made to the owner for one thirtieth part of the value of the vessel and cargo, if she shall not have been in the possession of the enemy more than twenty-four hours ; and one tenth of the said value where she shall have been longer ; which sums shall be distributed in gratuities to the recaptors. 3d. The restitution, in the cases aforesaid, shall be after due proof of property, and surety given for the part to which the recaptors are entitled. 4th. The vessels of war, public and private, of the two parties, shall be reciprocally admitted with their prizes into the respective ports of each ; but the said prizes shall not be discharged nor sold there, until their legality shall have been decided, according to the laws and regulations of the state to which the captor belongs, but by the judicatures of the place into which the prize shall have been conducted. 5th. It shall be free to each party to make such regulations as they shall judge necessary, for the conduct of their respective vessels of war, public and private, relative to the vessels which they shall take and carry into the ports of the two parties.

XXII. Where the parties shall have a common enemy, or shall both be neutral, the vessels of war of each shall upon all occasions take under their protection the vessels of the other, going the same course, and shall defend such vessels as long as they hold the same course, against all force and violence, in the same manner as they ought to protect and defend vessels belonging to the party of which they are.

XXIII. If war should arise between the two contracting parties, the merchants of either country, then residing in the other, shall be allowed to remain nine months to collect their debts, and settle their affairs, and may depart freely, carrying off all their effects, without molestation or hindrance : and all women and children, scholars of every faculty, cultivators of the earth, artisans, manufacturers, and fishermen, unarmed and inhabiting unfortified towns, villages, or places, and in general all others, whose occupations are for the common subsistence and benefit of mankind, shall be allowed to continue their respective employments, and shall not be molested in their persons ; nor shall their houses or goods be burnt, or otherwise destroyed, nor their fields wasted by the armed force of the enemy, into whose power, by the events of war, they may happen to fall : but if any thing be necessary to be taken from them, for the use of such armed force, the same shall be paid for at a reasonable price. And all merchant and trading vessels, employed in exchanging the products of different places, and thereby rendering the necessities, conveniences, and comforts of human life more easy to be obtained, and more general, shall be allowed to pass free and unmolested : and neither of the contracting parties shall grant or issue any commission to any private armed vessels,

empowering them to take or destroy such trading vessels, or interrupt such commerce.

XXIV. And to prevent the destruction of prisoners of war, by sending them into distant and inclement countries, or by crowding them into close and noxious places, the two contracting parties solemnly pledge themselves to each other, and to the world, that they will not adopt any such practice; that neither will send the prisoners, whom they may take from the other, into the East Indies, or any other parts of Asia or Africa; but that they shall be placed in some part of their dominions in Europe or America, in wholesome situations; that they shall not be confined in dungeons, prison-ships, nor prisons; nor be put into irons, nor bound, nor otherwise restrained in the use of their limbs; that the officers shall be enlarged on their paroles within convenient districts, and have comfortable quarters; and the common men be disposed in cantonments, open and extensive enough for air and exercise, and lodged in barracks, as roomy and good as are provided by the party, in whose power they are, for their own troops; that the officers shall also be daily furnished by the party, in whose power they are, with as many rations, and of the same articles and quality, as are allowed by them, either in kind or by commutation, to officers of equal rank in their own army; and all others shall be daily furnished by them with such rations as they allow to a common soldier in their own service; the value whereof shall be paid by the other party, on mutual adjustment of accounts, for the subsistence of prisoners, at the close of the war: and the said accounts shall not be mingled with, or set off against, any others, nor the balances due on them, be withheld as a satisfaction or reprisal for any other article, or for any other cause, real or pretended, whatever; that each party shall be allowed to keep a commissary of prisoners of their own appointment, with every separate cantonment of prisoners, in possession of the other: which commissary shall see the prisoners as often as he pleases; shall be allowed to receive and distribute whatever comforts may be sent to them by their friends; and shall be free to make his reports in open letters to those who employ him: but if any officer shall break his parole, or any other prisoner shall escape from the limits of his cantonment, after they shall have been designated to him, such individual officer or other prisoner shall forfeit so much of the benefit of this article, as provides for his enlargement on parole or cantonment. And it is declared, that neither the pretence, that war dissolves all treaties, nor any other whatever, shall be considered as annulling or suspending this and the next preceding article; but on the contrary, that the state of war is precisely that for which they are provided, and during which they are to be as sacredly observed, as the most acknowledged articles in the law of nature or nations.

XXV. The two contracting parties grant to each other the liberty of having each in the ports of the other, consuls, vice-consuls, agents, and commissaries of their own appointment, whose functions shall be regulated by particular agreement, whenever either party shall choose to make such appointment: but if any such consuls shall exercise commerce, they shall be submitted to the same laws and usages, to which the private individuals of their nation are submitted in the same place.

XXVI. If either party shall hereafter grant to any other nation, any particular favour in navigation or commerce, it shall immediately become common to the other party—freely, where it is freely granted, to such other nation—or on yielding the compensation, where such nation does the same.

XXVII. His majesty the king of Prussia, and the united states of America, agree that this treaty shall be in force during the term of ten years from the exchange of ratifications: and if the expiration of that term should happen during the course of a war between them, then the articles before provided, for the regulation of their conduct during such a war, shall continue in force until the conclu-

sion of the treaty which shall re-establish peace: and that this treaty shall be ratified on both sides, and the ratifications exchanged within one year from the day of its signature.

In testimony whereof, the plenipotentiaries before-mentioned, have hereto subscribed their names and affixed their seals, at the places of their respective residence, and at the dates expressed under their several signatures.

F. G. de Thulemeier, à la Hage, le 10 Septembre, 1785. (L. S.)

(L. S.)

Tho. Jefferson.
Paris, July 28,
1785.

(L. S.)

B. Franklin.
Passy, July 9,
1785.

(L. S.)

John Adams.
London, Aug. 5.
1785.



By the president of the united states of America.

A P R O C L A M A T I O N.

WHEREAS a convention, for defining and establishing the functions and privileges of the respective consuls and vice-consuls of his most christian majesty and the said united states, was concluded and signed by the plenipotentiaries of his said most christian majesty and of the said united states, duly and respectively authorized for that purpose, which convention is in the form following, viz.

C O N V E N T I O N,

Between his most christian majesty and the united states of America, for the purpose of defining and establishing the functions and privileges of their respective consuls and vice-consuls.

HIS majesty the most christian king and the united states of America, having by the 25th article of the treaty of amity and commerce, concluded between them, mutually granted the liberty of having in their respective states and ports, consuls, vice-consuls, agents, and commissaries—and being willing, in consequence thereof, to define and establish, in a reciprocal and permanent manner, the functions and privileges of consuls and vice-consuls, which they have judged it convenient to establish of preference, his M. C. majesty has nominated the sieur count of Montmorin of St. Herent, marechal of his camps and armies, knight of his orders and of the Golden Fleece, his counsellor in all his councils, minister and secretary of state and of his commandments and finances, having the department of foreign affairs—and the united states have nominated the sieur Thomas Jefferson, citizen of the united states of America, and their minister plenipotentiary near the king, who, after having communicated to each other their respective full powers, have agreed on what follows:

I. The consuls and vice-consuls, named by the M. C. K. and the U. S. shall be bound to present their commissions according to the forms which shall be established respectively by the M. C. K. within his dominions, and by the congress within the united states. There shall be delivered to them, without any charges, the exequatur necessary for the exercise of their functions; and on exhibiting the said exequatur, the governors, commanders, heads of justice, bodies corporate, tribunals and other officers, having authority in the ports and places of their consulates, shall cause them to enjoy, immediately and without difficulty, the pre-eminences, authority, and privileges, reciprocally granted, without exacting from the said consuls and vice-consuls any fees under any pretext whatever.

II. The consuls, and vice-consuls, and persons attached to their functions, that is to say, their chancellors and secretaries, shall enjoy a full and entire immunity for their chancery and the papers which shall be therein contained. They shall be exempt from all personal service, from soldier's billets, militia, watch, guard, guardianship, trusteeship, as well as from all duties, taxes, impositions, and charges whatsoever, except on the estate real and personal, of which they may be the proprietors or

possessors, which shall be subject to the taxes imposed on the estates of all other individuals; and in all other instances, they shall be subject to the laws of the land, as the natives are. Those of the said consuls and vice-consuls, who shall exercise commerce, shall be respectively subject to all taxes, charges, and impositions, established on other merchants. They shall place over the outward door of their house, the arms of their sovereign: but this mark of indication shall not give to the said house any privilege of asylum for any person or property whatsoever.

III. The respective consuls and vice-consuls may establish agents in the different ports and places of their departments, where necessity shall require. These agents may be chosen among the merchants, either national or foreign, and furnished with a commission from one of the said consuls. They shall confine themselves respectively to the rendering to their respective merchants, navigators, and vessels, all possible service, and to inform the nearest consul of the wants of the said merchants, navigators, and vessels—without the said agents otherwise participating in the immunities, rights, and privileges attributed to consuls and vice-consuls—and without power, under any pretext whatever, to exact from the said merchants any duty or emolument whatsoever.

IV. The consuls and vice-consuls respectively may establish a chancery, where shall be deposited the consular determinations, acts, and proceedings, as also testaments, obligations, contracts, and other acts, done by or between persons of their nation, and effects left by deceased persons, or saved from shipwreck. They may consequently appoint fit persons to act in the said chancery; receive and swear them in; commit to them the custody of the seal, and authority to seal commissions, sentences, and other consular acts—and also to discharge the functions of notary and register of the consulate.

V. The consuls and vice-consuls respectively shall have the exclusive right of receiving in their chancery, or on board of vessels, the declarations and all other acts, which the captains, masters, crews, passengers, and merchants of their nation may choose to make there, even their testaments and other disposals by last will: and the copies of the said acts, duly authenticated by the said consuls or vice-consuls, under the seal of the consulate, shall receive faith in law, equally as their originals would, in all the tribunals of the dominions of the M. C. K. and of the united states. They shall also have, and exclusively, in case of the absence of the testamentary executor, administrator, or legal heir, the right to inventory, liquidate, and proceed to the sale of the personal estate left by subjects or citizens of their nation, who shall die within the extent of their consulate: they shall proceed therein with the assistance of two merchants of their nation, or, for want of them, of any other at their choice; and shall cause to be deposited in their chancery, the effects and papers of the said estates: and no officer, military, judiciary, or of the police of the country, shall disturb them or interfere therein, in any manner whatsoever: but the said consuls and vice-consuls shall not deliver up the said effects, nor the proceeds thereof, to the lawful heirs, or to their order, till they shall have caused to be paid all debts which the deceased shall have contracted in the country; for which purpose the creditors shall have a right to attach the said effects in their hands, as they might in those of any other individual whatever, and proceed to obtain sale of them till payment of what shall be lawfully due to them. When the debts shall not have been contracted by judgment, deed, or note, the signature whereof shall be known, payment shall not be ordered but on the creditor's giving sufficient surety, resident in the country, to refund the sums he shall have unduly received, principal, interest and costs: which surety nevertheless shall stand duly discharged after the term of one year in time of peace, and of two in time of war, if the demand in discharge cannot be formed before the end of this term, against the heirs who shall present themselves. And in order that the heirs may not unjustly be kept out of the effects of the deceased, the consuls and vice-consuls shall notify his death in-

some one of the gazettes published within their consulate; and that they shall retain the said effects in their hands, seven months, to answer all demands which shall be presented: and they shall be bound after this delay to deliver to the persons succeeding thereto, what shall be more than sufficient for the demands which shall have been formed.

VI. The consuls and vice consuls respectively shall receive the declarations, protests, and reports of all captains and masters of their respective nations, on account of average losses sustained at sea; and these captains and masters shall lodge in the chancery of the said consuls and vice-consuls, the acts which they may have made in other ports on account of the accidents which may have happened to them on their voyage. If a subject of the M. C. K. and a citizen of the U. S. or a foreigner, are interested in the said cargo, the average shall be settled by the tribunals of the country, and not by the consuls or vice-consuls; but when only the subjects or citizens of their own nation shall be interested, the respective consuls or vice-consuls shall appoint skilful persons to settle the damages and average.

VII. In cases where by tempest, or other accident, French ships or vessels shall be stranded on the coasts of the U. S.—and ships or vessels of the U. S. shall be stranded on the coasts of the dominions of the M. C. K.—the consul or vice-consul, nearest to the place of shipwreck, shall do whatever he may judge proper, as well for the purpose of saving the said ship or vessel, its cargo and appurtenances, as for the storing and security of the effects and merchandise saved. He may take an inventory of them, without the intermeddling of any officers of the military, of the customs, of justice, or of the police of the country, otherwise than to give to the consuls, vice-consuls, captain, and crew of the vessel, shipwrecked or stranded, all the succour and favour which they shall ask of them, either for the expedition and security of the saving and of the effects saved, as to prevent all disturbance. And in order to prevent all kinds of dispute and discussion, in the said cases of shipwreck, it is agreed, that when there shall be no consul or vice-consul to attend to the saving of the wreck, or that the residence of the said consul or vice-consul (he not being at the place of the wreck) shall be more distant from the said place, than that of the competent judge of the country, the latter shall immediately proceed therein with all the dispatch, certainty, and precautions, prescribed by the respective laws: but the said territorial judge shall retire, on the arrival of the consul or vice-consul, and shall deliver over to him the report of his proceedings, the expenses of which the consul or vice-consul shall cause to be reimbursed to him, as well as those of saving the wreck. The merchandise and effects saved shall be deposited in the nearest custom house, or other place of safety, with the inventory thereof, which shall have been made by the consul, or consuls, or by the judge, who shall have proceeded in their absence, that the said effects and merchandise may be afterwards delivered, (after levying therefrom the cost-) and without form of process, to the owners, who, being furnished with an order for their delivery from the nearest consul or vice-consul, shall reclaim them by themselves, or by their order, either for the purpose of re-exporting such merchandise, in which case they shall pay no kind of duties of exportation—or for that of selling them in the country, if they be not prohibited there; and in this last case, the said merchandise, if they be damaged, shall be allowed an abatement of entrance duties, proportioned to the damage they have sustained, which shall be ascertained by the affidavits taken at the time the vessel was wrecked or struck.

VIII. The consuls or vice-consuls shall exercise police over all the vessels of their respective nations—and shall have, on board the said vessels, all power and jurisdiction in civil matters: in all the disputes which may there arise, they shall have an entire inspection over the said vessels, their crew, and the changes and substitutions there to be made: for which purpose they may go on board the said

vessels, whenever they may judge it necessary. It being well understood, that the functions hereby allowed, shall be confined to the interior of the vessels, and that they shall not take place in any case which shall have any interference with the police of the ports where the said vessels shall be.

IX. The consuls and vice-consuls may cause to be arrested the captains, officers, mariners, sailors, and all other persons, being part of the crews of the vessels of their respective nations, who shall have deserted from the said vessels, in order to send them back and transport them out of the country. For which purpose, the said consuls and vice-consuls shall address themselves to the courts, judges, and officers competent; and shall demand the said deserters in writing, proving by an exhibition of the registers of the vessel or ship's roll, that those men were part of the said crews: and on this demand so proved (saving, however, where the contrary is proved) the delivery shall not be refused: and there shall be given all aid and assistance to the said consuls and vice-consuls, for the search, seizure, and arrest of the said deserters, who shall even be detained and kept in the prisons of the country, at their request and expense, until they shall have found an opportunity of sending them back. But if they be not sent back within three months, to be counted from the day of their arrest, they shall be set at liberty, and shall be no more arrested for the same cause.

X. In cases where the respective subjects or citizens shall have committed any crime, or breach of the peace, they shall be amenable to the judges of the country.

XI. When the said offenders shall be a part of the crew of a vessel of their nation, and shall have withdrawn themselves on board the said vessel, they may be there seized and arrested, by order of the judges of the country: these shall give notice thereof to the consul or vice-consul, who may repair on board, if he thinks proper: but this notification shall not in any case delay execution or the order in question. The persons arrested shall not afterwards be set at liberty, until the consul or vice-consul shall have been notified thereof: and they shall be delivered to him, if he requires it, to be put again on board of the vessel in which they were arrested, or of others of their nation, and to be sent out of the country.

XII. All differences and suits between the subjects of the M. C. K. in the U. S. or between the citizens of the united states within the dominions of the M. C. K. and particularly all disputes relative to the wages and terms of engagement of the crews of the respective vessels, and all differences of whatever nature they may be, which may arise between the privates of the said crews, or between any of them and their captains, or between the captains of different vessels of their nation, shall be determined by the respective consuls and vice-consuls, either by a reference to arbitrators, or by a summary judgment and without costs. No officer of the country, civil or military, shall interfere therein, or take any part whatever in the matter: and the appeals from the said consular sentences, shall be carried before the tribunals of France, or of the united states, to whom it may appertain to take cognizance thereof.

XIII. The general utility of commerce having caused to be established within the dominions of the M. C. K. particular tribunals and forms for expediting the decision of commercial affairs, the merchants of the U. S. shall enjoy the benefit of these establishments: and the congress of the U. S. will provide in the manner most conformable to its laws for the establishment of equivalent advantages in favour of the French merchants, for the prompt dispatch and decision of affairs of the same nature.

XIV. The subjects of the M. C. K. and citizens of the U. S. who shall prove by legal evidence, that they are of the said nations respectively, shall, in consequence, enjoy an exemption from all personal service in the place of their settlement.

XV. If any other nation acquires by virtue of any convention whatever, a treatment more favourable with respect to the consular pre-eminences, powers, authority, and privileges, the consuls and vice-consuls of the M. C. K. or of the U. S. reciprocally shall participate therein, agreeably to the terms, stipulated by the 2d, 3d, and 4th articles of the treaty of amity and commerce concluded between the most christian king and the united states.

XVI. The present convention shall be in full force during the term of twelve years, to be counted from the day of the exchange of ratifications, which shall be given in proper form, and exchanged on both sides within the space of one year, or sooner if possible. In faith whereof, we, ministers plenipotentiary, have signed the present convention, and have thereto set the seal of our arms.

Done at Versailles the fourteenth of November, one thousand seven hundred and eighty-eight.

Signed

L. C. De MONTMORIN. (L. S.)

THOMAS JEFFERSON. (L. S.)

And whereas the said convention has been duly ratified and confirmed by me on the one part, with the advice and consent of the senate—and by his most christian majesty on the other—and the said ratifications were duly exchanged at Paris on the 1st day of January in the present year. Now, therefore, to the end that the said convention may be observed and performed with good faith on the part of the united states, I have ordered the premises to be made public, and I do hereby enjoin and require all persons bearing office, civil or military, within the united states, and all others, citizens or inhabitants thereof, or being within the same, faithfully to observe and fulfil the said convention, and every clause and article thereof.

In testimony whereof I have caused the seal of the united states to be affixed to these presents, and signed the same with my hand. Given at the city of New York, the ninth day of April, in the year of our Lord one thousand seven hundred and ninety, and of the sovereignty and independence of the united states the fourteenth.

GEORGE WASHINGTON.

By the president,

THOMAS JEFFERSON.



Charge of the hon. John Faucheraud Grimke, to the grand jury in Charleston, October, 1789.

GENTLEMEN,

THE grand inquest of this district has been of late years so unaccustomed to receive any charge from the magistrate presiding in this court, that were I to pretermitt the ceremony or duty of addressing you, it could not be considered as an innovation introduced in the present term.

The chief reason, which renders a charge to a grand jury necessary or requisite, is, that they may be more fully instructed in the duties of their office, and be familiarised with the method of proceeding to execute those duties; that they may not only be enabled conscientiously, as well as legally, to form a just opinion of the nature of the crimes, with which offenders shall be charged, but also of the legality of evidence which may be produced before them; in fine, that they may have every opportunity of doing justice to their country and fellow citizens, by having explained to them how they may bring the guilty to condign punishment, and discharge the innocent from the apprehensions of a public trial. Hence the result of such information would be, a legal verdict. But as the practice of these principles and this process are so frequently submitted to a jury of this district, this part of the duty of the judges, in the court of general sessions, becomes in some degree less urgent and necessary, than in the more distant tribunals: the con-

mon and reciprocal intercourse of mankind with each other, furnishes them with more ample and frequent means of obtaining information ; teaches them to weigh, with caution and candour, subjects submitted to their discussion ; and leads them involuntarily, through apparent intricacies and subtil refinements, to decisions formed on the basis of truth, justice, and impartiality. Such is the situation of the inhabitants of this district : and surely it is an advantage which they will ever continue jealous of maintaining, while the flame of liberty burns with unremitting purity, and with its lately acquired vigour and brilliancy. For as knowledge is the distinguishing criterion between man and the subservient brute creation : so is freedom the genuine characteristic of that part of mankind, who, from their superior intelligence, and more active and daring spirit, have not feared the resentment of tyrants—but, risking their wealth and their lives, have intrepidly encountered a thousand difficulties, to obtain the object of their admiration. In this partial view of mankind, the mind is pleased with its reflexions, the heart is animated by its sensations ! But when we consider but for a moment, how few nations are really possessed of this idol, how do our feelings, changing, recoil upon us—and how do our sympathy and joy alternately excite commiseration and grateful sentiments ! For what earthly transport can exceed the state of an independent freeman—what sublunary misery equal the wretched existence of the slave ?

But let us hope, that as we have been recompensed by the almighty decrees of heaven, in rescuing us from our tyrants, the example of our success will lead other nations to imitate so glorious an enterprise, to assert their just rights as men, and to unfetter themselves from the bondage with which they have been so long oppressed. Nevertheless, in the height of our zeal for the rights of mankind, and amidst our sincerest wishes for the general consummation of their welfare and happiness, we must not forget the tribute so justly due for our deliverance, or neglect the improvement of our own affairs. Whenever the hand of Omnipotence shall deign to point out a Washington amongst other nations, the Divinity will not prove unfavourable to their prayers, or to his exertions.

Let our hearts, then, in the first place, never cease to direct our thanksgiving to the throne of that grace which has illustrated our nation by such unexampled beneficence : and let the grateful acknowledgements of our just remembrance of past services perpetuate the unblemished honours of our chosen hero. The confidence of the people of America, instead of the jealousy and distrust incident to the various European forms of government—and truth, instead of their flattery—shall weave a wreath of heartfelt satisfaction for him ; and gratitude, instead of the boasted loyalty of the subjects of princes, and their blind submission to the will of a superior, shall erect, in the hearts of the citizens of the united states, the most honourable monument that ever graced the memory of man. This eulogium of our great and good commander has been long impressed upon our minds ; and time but serves to increase our admiration of his excellent qualities, and to supply us with additional motives of gratitude, for his disinterested and patriotic conduct.

Our next care, gentlemen of the grand jury, will be to watch the motions of our internal enemies ; to anticipate their various intrigues ; and to disappoint those secret combinations, into which they may have entered. It may, perhaps, be matter of curious enquiry, though of unsatisfactory inference, to consider the motives of many of the objectors to the new constitution : but this would lead me into a discussion too prolix for the present moment. I will content myself, therefore, with barely enumerating a few of these causes.

Some men feared the losing of that influence, they had assumed and established to themselves, under the weak and divided government of the several states : some again apprehended, that they would be deprived of the benefits and emoluments of certain lucrative offices, which they held under the respective legislatures of their country, the appointments to which were to be resigned into the hands of the

president of the union : a wish, perhaps, to involve this country in some destructive revolution, might influence others ; for to men of no property, or to those who are so embarrassed in their circumstances, as to hope for no relief from their own labour, or the arts of peace, or who are tormented with a discontented factious heart, rebellion and confusion would yield a rich harvest. For the honour of the human race, I hope, there are but few, if any such, among us : but such have been found in other nations ; and we must not flatter ourselves, that mankind are more perfect in our time, than they have been heretofore :—An obstinate supercilious self-sufficiency, (the result of the want of proper information and candid enquiry) and a capricious ostentatious vanity of not thinking like other people, will have its weight and influence with weak minds. Popularity also has increased its votaries, and afforded men one more opportunity of declaiming on the danger in which the liberty of the citizen is likely to be involved, and of exhibiting their attachment to this ideal idolatry :—nor has jealousy, which rankles in the hearts of others, had less effect in diffusing this poison ; for it is observable, that throughout the whole of the united states, a majority of the leaders of the opposition to our newly-adopted government, are not natives of our soil ; hence this pernicious quality of the mind displays itself more widely in America ; for doubtless there are many amongst us, who, being mere adventurers, and meaning to return to their native country, cannot brook that a rival nation should be possessed of advantages superior to their own : but, gentlemen, there is another sort of jealousy which agitates the soul of others ; I speak of that mean invidious quality, which, sensible of its own demerits and want of worth, endeavours to establish itself a character by calumniating the conduct of others, and by finding fault with what it was not consulted to frame. We must also expect to find emissaries amongst us, who will seek to obtain a temporary favour with the people, and who, by courting and adulating their weaknesses, will ensure to themselves frequent opportunities of sowing discontent and sedition amongst our inhabitants. There is, gentlemen, one rank of persons unfriendly to the present views of America, who deserve our real esteem—though we are adversaries in opinion. I mean those well-intentioned, ingenuous citizens, who are actuated by the purest motives ; the real love of their country and its freedom. Just escaped from the galling manacles of one tyrant, they are, perhaps, overweeningly zealous in their opposition. But the best of men will differ, with the chastest intentions. Let us, therefore, do justice to their passionate ardour in the cause of liberty ; and discriminate the licentious intemperance of a party, from the jealous integrity of a true republican. For if men have never been able to agree upon the great and solemn truths revealed to us in the christian dispensation, what flattering hope can we foster in our bosoms, that we should be all reconciled in one political problem. Vain hope ! whilst men are possessed of different views of interest, are actuated by other principles than those of honour or philanthropy, and are encumbered with the frailness of humanity, it would be foreign to, and inconsistent with, our natures, to expect a concurrence of sentiment. But as the noblest religion ever professed in this world by mankind, has thriven and established itself under the intolerant spirit of its opponents—let us hope that the work (which future ages, I doubt not, will honour as the master-piece of political wisdom) shall thrive also under the auspices and moderation of its present champions, and the persecution of its enemies. The learned and ingenious author of the federalist, gentlemen, justly observes—“ That a dangerous ambition oftener lurks behind the specious mask of zeal for the rights of the people, than under the forbidding appearance of enthusiasm for the firmness and efficiency of government. History will teach us that the former has been found a much more certain road to the introduction of despotism than the latter ; and that of those men, who have overturned the liberties of republics, the greatest number have begun their career, by paying an obsequious court to the

people—commencing demagogues, and ending tyrants." Since, therefore, there are so many evil and mischievous principles meditating against us, and but one which is truly honourable, how much ought we to be upon our guard, to disappoint or resist a secret adversary. It is said, that a settled train of correspondence was very early established in this business, and that it still continues to flow uninterruptedly from its impure source. When such means are adopted, where shall we find wisdom enough to detect, and prudence sufficient to defend us from its evil machinations? Let us, however, exert ourselves, trusting that providence never will abandon those, whom it has been pleased to divert from the crooked paths of speculation, private dishonour, and national infamy, into the high road leading to dignity, virtue, and honour: and that this will be the consequence of our having happily adopted the new constitution, and of our persevering (I hope successfully) to maintain it un sullied and unimpaired, against the struggle of our opponents, I could easily demonstrate to you. This will probably be the subject of another charge, and at a future day. For the present I will quit this topic, which is so truly dear and interesting to us all—I mean the welfare of our country—and apologizing for having withdrawn so much of your time from the particular official duties of the station you now appear in, I will proceed briefly to lay before you some of the more general principles which must guide your present decisions. (Having pointed out as usual the common duties of the grand jury, he proceeded as follows.)

At the same time that you are empowered to examine witnesses against the prisoner, and none for him, I must inculcate upon you the propriety and necessity of your listening to no other sort of evidence, than that which is delivered to you by persons in your presence. Hard, indeed, is the method of trial before your tribunal—disgusting in some measure to your minds—and contrary to the rules of law in other courts; where no decision is made, no verdict formed, until the testimony of both parties has been submitted to those sitting in judgment. But if you were to attend to written evidence, it would be placing those criminated in a situation infinitely more harsh, and would favour of a kind of persecution unknown to the freemen of this country; for no man shall be charged or convicted of having committed any crime or offence, without having those who accuse him, brought face to face. The substitution, therefore, of written evidence, instead of personal testimony, would be an innovation of dangerous tendency, and might be made the legal tool of oppression to the citizen, when it can be in no wise justified by policy or necessity. Should a man be found guilty before you, of any offence whatever, upon this kind of testimony, you brand him with a stigma, which, perhaps, he may never have an opportunity of wiping off. For should not his accusers appear before the petit jury at his trial—there is no method of acquittal for him from the charge, which our law points out. True it is, the court will discharge him: but how will he come forth to his fellow-citizens? Marked as a base, flagitious character, and as one who only escaped the punishment he justly merited for his crimes, by the negligence or perhaps misfortune of his accuser. I mention this, gentlemen, to you, because it is proper you should be well informed upon a point so favourable to an impartial trial; and it is with the more confidence, that I have dwelt so long on this idea, because the judges of the court are unanimously of the opinion I have now given you. Perhaps it would be sufficient, that I should add no other reason, than what I have already submitted to your consideration. But it is also a maxim, adopted by one of the best authors, who has written on the criminal law, that a prisoner has a right to challenge* a grand juror. This, it is true, has not been recognized by the practice of this

NOTE.

* Hawkins's pleas of the crown, book 2. c. 25. §16.

court; but I confess, I should feel inclined, if a prisoner should object to one of you, to uphold the objection, and support the prisoner's right to challenge. More innovations have crept into the proceedings of your body, than this alone; for formerly the evidence for the prisoner, as well as that against him, used to be heard by you. But this has been discontinued, and the benefit of it, I fear, irretrievably lost to the unfortunate prisoners. Precedents increase precedents; and innovations multiply innovations. The rule of law, gentlemen, in this case, is very clear, and has long been understood by professional men in the manner I have now explained it to you.

Let us not then permit a doctrine of so alarming a nature as that of written evidence, to be adopted by us in our criminal courts. If, therefore, there should be any written documents, of the guilt of those who are to be tried, amongst the papers and indictments delivered to you, you will repudiate them as useless and disgraceful to your tribunal, unless the court should authorise you to proceed thereon. For although it is laid down in some very good authorities, that written evidence may be read in case of the death of a witness, I doubt whether it would be suffered to be done in a criminal cause, affecting the life, or even the character, of a fellow creature.

There is, gentlemen, one act of the assembly of this state, entitled, "An act for the better ordering and governing of negroes and other slaves," passed the 10th day of May 1740, which is especially directed to be given you in charge: and although the same reasons may not exist at present, which made it necessary at that time, yet, in obedience to the law of my country, I must remind you of it. I hope, therefore, that you will give it an attentive perusal, and if there should appear to you any defects in the policy of it—or that the law is too harsh and severe upon that unfortunate race of mankind—that you will present such amendments to it, as will soften off its rigorous effects, and that you will shew to the world, that having obtained your own liberty, you well know how to prize it, and that you are truly sensible how dear it is to mankind, by extending to the coloured people in our state, as much indulgence as their unhappy subordinate situation will admit of.



Letter from the secretary of state to the speaker of the house of representatives.

SIR,

New York, July 4, 1790.

I have now the honour to inclose you a report on the subject of measures, weights, and coins. The length of time, which intervenel between the date of the order and my arrival in this city, prevented my receiving it, till the fifteenth of April: and an illness, which followed soon after, added, unavoidably, some weeks to the delay; so that it was not till about the twentieth of May that I was able to finish the report. A desire to lessen the number of its imperfections, induced me still to withhold it awhile, till, on the fifteenth of June, came to my hands from Paris, a printed copy of a proposition made by the bishop of Autun, to the national assembly of France, on the subject of weights and measures: and three days after I received through the channel of the public papers, the speech of sir John Riggs Miller, of April thirteenth, in the British house of commons, on the same subject. In the report, which I had prepared, and was then about to give in, I had proposed the latitude of 38° as that which should fix our standard; because it was the medium latitude of the united states: but the proposition before the national assembly of France, to take that of 45° , as being a middle term

NOTE.

† See Buller's nisi prius, page 241.

between the equator and both poles, and a term which might consequently unite the nations of both hemispheres, appeared to me so well chosen, and so just, that I did not hesitate a moment to prefer it to that of 38° . It became necessary, of course, to reform all my calculations to that standard—an operation, which has been retarded by my other occupations.

These circumstances will, I hope, apologize for the delay which has attended the execution of the order of the house: and perhaps a disposition, on their part, to have due regard to the proceedings of other nations, engaged on the same subject, may induce them still to defer deciding ultimately on it, till their next session. Should this be the case, and should any new matter occur in the mean time, I shall think it my duty to communicate it to the house, as supplemental to the present report.

I have the honour to be, with sentiments of the most profound respect, sir, your most obedient, and most humble servant,

THOMAS JEFFERSON.

To the speaker of the house of representatives.

The secretary of state, to whom was referred, by the house of representatives, 'to prepare and report a proper plan or plans for establishing uniformity in the currency, weights, and measures of the united states, in obedience thereto, makes the following

R E P O R T:

TO obtain uniformity in measures, weights, and coins, it is necessary to find some measure of invariable length, with which, as a standard, they may be compared.

There exists not in nature, as far as has been hitherto observed, a single subject or species of subject, accessible to man, which presents one constant and uniform dimension.

The globe of the earth itself, indeed, might be considered as invariable in all its dimensions, and that its circumference would furnish an invariable measure: but no one of its circles, great or small, is accessible to admeasurement through all its parts: and the various trials, to measure definite portions of them, have been of such various result, as to shew there is no dependence on that operation for certainty.

Matter then, by its mere extension, furnishing nothing invariable, its motion is the only remaining resource.

The motion of the earth round its axis, though not absolutely uniform and invariable, may be considered as such for every human purpose. It is measured obviously, but unequally, by the departure of a given meridian from the sun, and its return to it, constituting a solar day. Throwing together the inequalities of solar days, a mean interval, or day, has been found, and divided, by very general consent, into eighty-six thousand four hundred equal parts.

A pendulum, vibrating freely, in small and equal arcs, may be so adjusted in its length, as, by its vibrations, to make this division of the earth's motion into eighty-six thousand four hundred equal parts, called seconds of mean time.

Such a pendulum, then, becomes itself a measure of determinate length, to which all others may be referred, as to a standard.

But even the pendulum is not without its uncertainties.

I. The difficulty of ascertaining in practice its centre of oscillation, as depending on the form of the bob, and its distance from the point of suspension—the effect of the weight of the suspending wire, towards displacing the centre of oscillation—that center being seated within the body of the bob, and, therefore, inaccessible to the measure—are sources of considerable uncertainty.

II. Both theory and experience prove, that to preserve its isochronism, it must be shorter towards the equator, and longer towards the poles.

III. The height of the situation, above the common level, as being an increment to the radius of the earth, diminishes the length of the pendulum.

IV. The pendulum being made of metal, as is best, it varies its length with the variations in the temperature of the atmosphere.

V. To continue small and equal vibrations, through a sufficient length of time, and to count these vibrations, machinery and a power are necessary, which may exert a small, but constant effort to renew the waste of motion: and the difficulty is, so to apply these, as that they shall neither retard nor accelerate the vibrations.

1. In order to avoid the uncertainties, which respect the centre of oscillation, it has been proposed by Mr. Leslie, an ingenious artist of Philadelphia, to substitute, for the pendulum, an uniform cylindrical rod, without a bob.

Could the diameter of such a rod be infinitely small, the centre of oscillation would be exactly at two-thirds of the whole length, measured from the point of suspension. Giving it a diameter which shall render it sufficiently inflexible, the centre will be displaced, indeed; but, in a second rod, not the (1.) 600,000th part of its length, and not the hundredth part as much as in a second pendulum, with a spherical bob, of proper diameter. This displacement is so infinitely minute, then, that we may consider the centre of oscillation, for all practical purposes, as residing at two-thirds of the length, from the centre of suspension. The distance between these two centres might be easily and accurately ascertained in practice. But the whole rod is better for a standard, than any portion of it, because sensibly defined at both its extremities.

2. The uncertainty arising from the difference of length requisite for the second pendulum, or the second rod, in different latitudes, may be avoided by fixing on some one latitude, to which our standard shall refer. That of 38° , as being the middle latitude of the united states, might seem the most convenient, were we to consider ourselves alone: but connected with other nations by commerce and science, it is better to fix on that parallel, which bids fairest to be adopted by them also. The forty-fifth, as being the middle term between the equator and pole, has been heretofore proposed in Europe: and the proposition has been lately renewed there, under circumstances which may very possibly give it some effect. This parallel is distinguished with us also, as forming our principal northern boundary. Let the completion of the forty-fifth degree then give the standard for our union, with the hope that it may become a line of union with the rest of the world.

The difference between the second rod for 45° of latitude, and that for 31° , our other extreme, is to be examined.

The second pendulum for 45° of latitude, according to Sir Isaac Newton's computation, must be of (2.) 39.14912 inches, English measure: and a rod, to vibrate in the same time, must be of the same length between the centres of suspension and oscillation, and, consequently, its whole length 58.7 (or more exactly 58.72368) inches. This is longer than the rod, which shall vibrate seconds in 31° of latitude, by about $\frac{1}{273}$ part of its whole length; a difference so minute, that it might be neglected, as insensible, for the common purposes of life: but in cases requiring perfect exactness, the second rod, found by trial of its vibrations in any part of the united states, may be corrected by computation for the (3.) latitude of the place, and so brought exactly to the standard of 45° .

3. By making the experiment in the level of the ocean, the difference will be avoided, which a higher position might occasion.

4. The expansion and contraction of the rod, with the change of temperature, is the fourth source of uncertainty before mentioned. According to the high authority, so often quoted, an iron rod, of given length, may vary, between summer and winter, in temperate latitudes, and in the common exposure of house-clocks, from $\frac{1}{728}$ to $\frac{1}{2592}$ of its whole length, which, in a rod of 58.7 inches, will be from about two to three hundredths of an inch. This may be avoided by adjust-

ing and preserving the standard in a cellar, or other place, the temperature of which never varies. Iron is named for this purpose, because the least expandible of the metals.

5. The practical difficulty, resulting from the effect of the machinery and moving power, is very inconsiderable in the present state of the arts: and in their progress towards perfection, will become less and less. To estimate and obviate this, will be the artist's province. It is as nothing, when compared with the sources of inaccuracy hitherto attending measures.

Before quitting the subject of the inconveniencies, some of which attend the pendulum alone, others, both the pendulum and rod, it must be added, that the rod would have an accidental, but very precious advantage over the pendulum in this country, in the event of our fixing the foot at the nearest aliquot part of either; for the difference between the common foot and those so to be deduced, would be three times greater in the case of the pendulum, than in that of the rod.

Let the standard of measure, then, be an uniform cylindrical rod of iron, of such length, as, in latitude 45° in the level of the ocean, and in a cellar, or other place, the temperature of which does not vary through the year, shall perform its vibrations, in small and equal arcs, in one second of mean time.

A standard of invariable length being thus obtained, we may proceed to identify, by that, the measures, weights, and coins of the united states. But here a doubt presents itself, as to the extent of the reformation meditated by the house of representatives. The experiment made by congress in the year 1786, by declaring that there should be one money of account and payment through the united states, and that its parts and multiples should be in a decimal ratio, has obtained such general approbation, both at home and abroad, that nothing seems wanting, but the actual coinage, to banish the discordant pounds, shillings, pence, and farthings of the different states, and to establish, in their stead, the new denominations. Is it in contemplation with the house of representatives, to extend a like improvement to our measures and weights, and to arrange them also in a decimal ratio?—The facility, which this would introduce into the vulgar arithmetic, would, unquestionably, be soon and sensibly felt by the whole mass of the people, who would thereby be enabled to compute for themselves, whatever they should have occasion to buy, to sell, or to measure, which the present complicated and difficult ratios place beyond their computation, for the most part. Or, is it the opinion of the representatives, that the difficulty of changing the established habits of a whole nation, opposes an insuperable bar to this improvement? under this uncertainty, the secretary of state thinks it his duty to submit alternative plans, that the house may, at their will, adopt either the one or the other, exclusively—or the one for the present, and the other for a future time, when the public mind may be supposed to have become familiarized to it.

I. And first, on the supposition, that the present measures and weights are to be retained, but to be rendered uniform and invariable, by bringing them to the same invariable standard.

The first settlers of these states, having come chiefly from England, brought with them the measures and weights of that country. These alone are generally established among us, either by law or usage; and these, therefore, are alone to be retained and fixed. We must resort to that country for information of what they are, or ought to be.

This rests, principally, on the evidence of certain standard measures and weights, which have been preserved of long time in different deposits. But differences among these having been known to exist, the house of commons, in the years 1757 and 1758, appointed committees to enquire into the original standards of their weights and measures. These committees, assisted by able mathematicians and artists, examined and compared with each other, the several standard

measures and weights, and made reports on them in the years 1758 and 1759. The circumstances, under which these reports were made, entitled them to be considered, as far as they go, as the best written testimony existing, of the standard measures and weights of England: and as such, they will be relied on in the progress of this report.

Measures of length.

The measures of length in use among us are,

The league of three miles; the mile of eight furlongs; the furlong of forty poles or perches; the pole or perch of five and a half yards: the fathom of two yards; the ell of a yard and a quarter; the yard of three feet; the foot of twelve inches; and the inch of ten lines.

On this branch of their subject, the committee of 1757, 1758, says, that the standard measures of length, at the receipt of the exchequer, are a yard, supposed to be of the time of Henry VII. and a yard and ell, supposed to have been made about the year 1601; that they are brass rods, very coarsely made, their divisions not exact, and the rods bent: and that, in the year 1742, some members of the royal society had been at great pains in taking an exact measure of these standards, by very curious instruments, prepared by the ingenious mr. Graham; that the royal society had had a brass rod made, pursuant to their experiments, which was made so accurately, and by persons so skilful and exact, that it was thought not easy to obtain a more exact one; and the committee in fact found it to agree with the standard at the exchequer, as near as it was possible. They furnish no means to persons at a distance, of knowing what this standard is. This, however, is supplied by the evidence of the second pendulum, which, according to the authority before quoted, is, at London, 39.1682 English inches, and consequently, the second rod, there is of 58.7523 of the same inches. When we shall have found, then, by actual trial the second rod for 45° by adding the difference of their computed length, to wit, $\frac{2.27}{10000}$ of an inch, or rather $\frac{1}{10}$ of a line (which in practice will endanger less error, than an attempt at so minute a fraction as the ten thousandth part of an inch) we shall have the second rod of London, or a true measure of $58\frac{1}{4}$ English inches. Or, to shorten the operation, without varying the result,

Let the standard rod of 45° be divided into $587\frac{1}{2}$ equal parts, and let each of these parts be declared a line;

Ten lines an inch; twelve inches a foot; three feet a yard; three feet nine inches an ell; six feet a fathom: five yards and a half a perch or pole; forty poles or perches a furlong; eight furlongs a mile; three miles a league.

Superficial measures.

Our measures of surface are the acre of four rood; and the rood of forty square poles: so established by a statute of 33. E. 1. Let them remain the same.

Measures of capacity.

The measures of capacity in use among us, are of the following names, and proportions:

The gill, four of which make a pint; two pints a quart; two quarts a pottle; two pottles a gallon; two gallons a peck, dry measure; eight gallons make a measure, called a firkin, in liquid substances, and a bushel, dry; two firkins or bushels, make a measure, called a rundlet, or kilderkin, liquid, and a strike, dry; two kilderkins, or strikes, make a measure called a barrel, liquid, and a coomb, dry—this last term being ancient and little used; two barrels, or coombs, make a measure, called a hoghead, liquid, or a quarter, dry; each being the quarter of a ton; a hoghead and a third make a tierce, or third of a ton; two hogheads make a pipe, butt, or puncheon, and two pipes make a ton.

But no one of these measures is of a determinate capacity. The report of the

committee of 1757-8 shews, that the gallon is of very various content: and that being the unit, all the others must vary with it.

The gallon and bushel contain

224 and 1792 cubic inches, according to the standard wine gallon, preserved at Guildhall; 231 and 1848, according to the statute of the 5th. Anne; 164.8 and 1218.4, according to the ancient Rumford quart of 1228, examined by the committee; 265.5 and 2124, according to three standard bushels preserved in the exchequer, to wit, one of Henry VII. without a rim, one dated 1609, supposed for 1591, or 1601, and one dated 1601; 266.25 and 2130, according to the ancient Rumford gallon of 1228, examined by the committee; 268.75; and 2150, according to the Winchester bushel, as declared by statute 13.14. VV. 3. which has been the model for some of the grain states; 271. less 2 spoonfuls, and 2168, less 16 spoonfuls, according to a standard gallon of Henry VII. and another, dated 1601, marked E. E. both in the exchequer; 271 and 2168, according to a standard gallon in the exchequer, dated 1601, marked E. and called the corn-gallon; 272 and 2176, according to the three standard corn-gallons, last mentioned, as measured in 1688, by an artist for the commissioners of the excise, generally used in the sea-port towns, and by mercantile people, and thence introduced into some of the grain states; 277.18 and 2217.44, as established for the measure of coal by the statute 12 Anne; 278, and 2224, according to a standard bushel of Henry VII. with a copper rim, in the exchequer; 278.4 and 2227.2 according to two standard pints of 1601, and 1602, in the exchequer; 280, and 2240, according to the standard quart of 1601, in the exchequer; 282 and 2256, according to the standard gallon for beer and ale, in the treasury.

There are, moreover, varieties on these varieties, from the barrel to the ton inclusive: for, if the barrel be of herrings, it must contain 28 gallons by the statute 13 El. c. 11. If of wine, it must contain $31\frac{1}{2}$ by the statute 2 Henry VII. c. 21. and 1. Richard III. c. 15. If of beer or ale, it must contain 34 gallons by the statute 1 William and Mary c. 24. and the higher measures in proportion.

In those of the united states, which have not adopted the statutes of William and Mary, and of Anne before cited, nor their substance, the wine gallon, of 231 cubic inches, rests on the authority of very long usage, before the 5th of Anne, the origin and foundation of which are unknown. The bushel is the Winchester bushel, by the 11 Henry VII. undefined; and the barrel of ale, 32 gallons, and of beer 36 gallons by the statute 23 Henry VIII. c. 4.

The secretary of state is not informed whether there have been any and what alterations of these measures, by the laws of the particular states.

It is proposed to retain this series of measures, but to fix the gallon to one determinate capacity, as the unit of measure, both wet and dry: for convenience is in favour of abolishing the distinction, even between wet and dry measures.

The wine gallon, whether of 224 or 231 cubic inches, may be altogether disregarded, as concerning, principally, the mercantile, and the wealthy, the least numerous part of the society, and the most capable of reducing one measure to another by calculation. This gallon is little used among the mass of farmers, whose chief habits and interests are in the size of the corn bushel.

Of the standard measures before stated, two are principally distinguished in authority and practice. The statute bushel of 2150 cubic inches, which gives a gallon of 268.75 cubic inches, and the standard gallon of 1601, called the corn gallon, of 271 or 272 cubic inches; which has introduced the mercantile bushel of 2176 inches. The former of these is most used in some of the grain states, the latter in others. The middle term, of 270 cubic inches, may be taken as a mutual compromise of convenience, and as offering this general advantage, that the bushel being of 2160 cubic inches, is exactly a cubic foot and a quarter, and so facilitates the conversion of wet and dry measures into solid contents and tonnage.

and simplifies the connexion of measures and weights, as will be shewn hereafter. It may be added in favour of this, as a medium measure, that eight of the standard or statute measures, before enumerated, are below this term, and nine above it.

The measures to be made for use, being fourfold, with rectangular sides and bottom,

The pint will be 3 inches square and $3\frac{1}{2}$ inches deep; the quart 3 inches square and $7\frac{1}{2}$ inches deep; the pottle 3 inches square and 15 inches deep, or $4\frac{1}{2}$, 5, and 6 inches; the gallon 6 inches square and $7\frac{1}{2}$ inches deep, or 5, 6, and 9 inches; the peck 6, 9, and 10 inches; the half-bushel 12 inches square, and $7\frac{1}{2}$ inches deep; and the bushel 12 inches square, and 15 inches deep, or 9, 15, and 16 inches.

Cylindrical measures have the advantage of superior strength: but square ones have the greater advantage of enabling every one, who has a rule in his pocket, to verify their contents, by measuring them. Moreover, till the circle can be squared, the cylinder cannot be cubed, nor its contents exactly expressed in figures.

Let the measures of capacity then, for the united states, be,

A gallon of 270 cubic inches; the gallon to contain two pottles; the pottle two quarts; the quart two pints; the pint 4 gills: 2 gallons to make a peck; 8 gallons a bushel or firkin; 2 bushels or firkins, a strike or kilderkin; 2 strikes or kilderkins, a coomb or barrel; 2 coombs or barrels, a quarter or hoghead; a hoghead and a third, one tierce; 2 hogheads a pipe, but, or puncheon; and 2 pipes a ton.

And let all measures of capacity, of dry subjects, be stricken with a strait strike.

Weights.

There are two series of weights in use among us—the one called avoirdupois, the other troy.

In the avoirdupois series, the pound is divided into sixteen ounces; the ounce into sixteen drams; the dram into four quarters.

In the troy series, the pound is divided into 12 ounces; the ounce, according to the subdivision of the apothecaries, into 8 drams; the dram into 3 scruples; the scruple into 10 grains.

According to the subdivision for gold and silver, the ounce is divided into 20 penny-weight; and the penny-weight into 24 grains.

So that the pound troy contains 5760 grains, of which, 7,000 are requisite to make the pound avoirdupois; of course the weight of the pound troy is to that of the pound avoirdupois, as 5760 to 7000, or as 144 to 175.

It is remarkable, that this is exactly the proportion of the ancient liquid gallon of Guildhall, of 224 cubic inches, to the corn gallon of 272; for 224 are to 272, as 144 to 175 (4.)

It is further remarkable still, that this is also the exact proportion between the specific weight, of any measure of wheat, and of the same measure of water. For the statute bushel is of 64 pounds of wheat. Now as 144 to 175, so are 64lb. to 77.7lb. but 77.7lb. is known to be the weight of (5.) 2150.4 cubic inches of pure water; which is exactly the content of the Winchester bushel, as declared by the statute 13. 14. W. 3. That statute determined the bushel to be a cylinder of $18\frac{1}{2}$ inches diameter, and 8 inches depth. Such a cylinder, as nearly as it can be cubed, and expressed in figures, contains 2150.425 cubic inches: a result, which reflects authority on the declaration of parliament, and induces a favourable opinion of the care, with which they investigated the contents of the ancient bushel, and also a belief, that there might exist evidence of it at that day, unknown to the committees of 1758 and 1759.

We find then in a continued proportion, 64 to 77.7 as 224 to 272, and as 144 to 175, that is to say, the specific weight of a measure of wheat to that of the same measure of water, as the cubic contents of the wet-gallon, to those of the dry; and as the weight of a pound troy to that of a pound avoirdupois.

This seems to have been so combined as to render it indifferent whether a thing were dealt out by weight or measure; for the dry gallon of wheat, and the liquid one of wine were of the same weight: and the avoirdupois pound of wheat, and the troy pound of wine, were of the same measure. Water and the vinous liquors, which enter most into commerce, are so nearly of a weight, that the difference, in moderate quantities, would be neglected by both buyer and seller; some of the wines being a little heavier, and some a little lighter than water.

Another remarkable correspondence is that between weights and solid measures. For 1000 ounces avoirdupois of pure water, fill a cubic foot, with mathematical exactness.

What circumstances of the times, or purposes of barter or commerce, called for this combination of weights and measures, with the subjects to be exchanged or purchased, are not now to be ascertained. But a triple set of exact proportionals, representing weights, measures, and the things to be weighed and measured, and a relation so integral, between weights and solid measures, must have been the result of design and scientific calculation, and not a mere coincidence of hazard. It proves, that the dry and wet measures, the heavy and light weights, must have been original parts of the system they compose: contrary to the opinion of the committee of 1757—1758, who thought, that the avoirdupois weight was not an ancient weight of the kingdom, nor ever even a legal weight, but during a single year of the reign of H. 8. and therefore, concluded, otherwise than will be here proposed, to suppress it altogether. Their opinion was founded chiefly on the silence of the laws, as to this weight. But the harmony here developed in the system of weights and measures, of which the avoirdupois makes an essential member, corroborated by a general use, from very high antiquity, of that, or of a nearly similar weight under another (6.) name, seem stronger proofs, that this is a legal weight, than the mere silence of the written laws is of the contrary.

Be this as it may, it is in such general use with us, that, on the principle of popular convenience, it's higher denominations, at least, must be preserved. It is by the avoirdupois pound and ounce, that our citizens have been used to buy and sell. But the smaller subdivisions of drams and quarters, are not in use with them. On the other hand, they have been used to weigh their money and medicine with the penny-weights and grains troy-weight, and are not in the habit of using the pounds and ounces of that series. It would be for their convenience, then, to suppress the pound and ounce troy, and the dram and quarter avoirdupois; and to form into one series the avoirdupois pound and ounce, and the troy penny-weight and grain. The avoirdupois ounce contains 18 penny-weights $5\frac{1}{2}$ grains troy-weight. Divide it then into 18 penny-weights, and the penny-weight, as heretofore, into 24 grains; and the new penny-weight will contain between a third and a quarter of a grain more than the present troy penny-weight; or, more accurately, it will be to that, as 875 to 864, a difference not to be noticed, either in money or medicine, below the denomination of an ounce.

But it will be necessary to refer these weights to a determinate mass of some substance, the specific gravity of which is invariable. Rain-water is such a substance, and may be referred to every where, and through all time. It has been found, by accurate experiments, that a cubic foot of rain-water weighs 1000 ounces avoirdupois, standard weights of the exchequer. It is true, that among these standard weights, the committee report small variations: but this experiment must decide in favour of those particular weights, between which and an integral mass of water, so remarkable a coincidence has been found. To render this standard more exact, the water should be weighed always in the same temperature of air; as heat, by increasing its volume, lessens its specific gravity. The cellar of uniform temperature is best for this also.

Let it then be established, that an ounce is of the weight of a cube of rain water, of one tenth of a foot, or rather, that it is the thousandth part of the

weight of a cubic foot of rain-water, weighed in the standard temperature; that the series of weights of the united states shall consist of pounds, ounces, penny-weights, and grains; whereof 24 grains shall be one penny-weight, 18 penny-weights one ounce, 16 ounces one pound.

Coins.

Congress in 1786 established the money unit at 375.64 troy grains of pure silver. It is proposed to enlarge this, by about the third of a grain, in weight, or a mill, in value; that is to say, to establish it at 376 (or, more exactly, 376.02985) instead of 375.64 grains; because it will be shewn that this, as the unit of coin, will link in system with the units of length, surface, capacity, and weight, whenever it shall be thought proper to extend the decimal ratio through all these branches. It is to preserve the possibility of doing this, that this very minute alteration is proposed.

We have this proportion, then, 875 to 864, as 376.02985 grains troy to 371.30261, the expression of the unit in the new grains.

Let it be declared, therefore, that the money unit, or dollar of the united states, shall contain 371.3 American grains of pure silver.

If nothing more then be proposed, than to render uniform and stable the system we already possess, this may be effected on the plan herein detailed; the sum of which is, 1. That the present measures of length be retained and fixed by an invariable standard: 2. That the measures of surface remain as they are, and be invariable also, as the measures of length, to which they are to refer: 3. That the unit of capacity, now so equivocal, be settled at a medium and convenient term, and defined by the same invariable measures of length: 4. That the more known terms, in the two kinds of weights, be retained, and reduced to one series; and that they be referred to a definite mass of some substance, the specific gravity of which never changes: And 5. That the quantity of pure silver in the money unit be expressed in parts of weights so defined.

In the whole of this, no change is proposed, except an insensible one in the troy grain and penny-weight, and the very minute one in the money unit.

II. But if it be thought that, either now or at any future time, the citizens of the united states may be induced to undertake a thorough reformation of their whole system of measures, weights, and coins, reducing every branch to the same decimal ratio already established in their coins, and thus bringing the calculation of the principal affairs of life within the arithmetic of every man, who can multiply and divide plain numbers, greater changes will be necessary.

The unit of measure is still that which must give law through the whole system: and from whatever unit we set out, the coincidences between the old and new ratios will be rare. All that can be done, will be to choose such an unit as will produce the most of these. In this respect, the second rod has been found, on trial, to be far preferable to the second pendulum.

Measures of length.

Let the second rod, then, as before described, be the standard of measure; and let it be divided into five equal parts, each of which shall be called a foot: for, perhaps, it may be better generally to retain the name of the nearest present measure, where there is one tolerably near. It will be about one quarter of an inch shorter than the present foot.

Let the foot be divided into 10 inches; the inch into 10 lines; the line into 10 points: let 10 feet make a decad; 10 decads a rood; 10 roods a furlong; 10 furlongs a mile.

Superficial measures.

Superficial measures have been estimated, and so may continue to be, in squares of the measures of length, except in the case of lands, which have been estimated by squares, called roods and acres. Let the rood be equal to a square, every side

of which is 100 feet. This will be 6.483 English feet less, than the English (7.) rood every way, and 1311 square feet less in its whole contents, that is to say, about one eighth; in which proportion also, 4 roods will be less than the present acre.

Measures of capacity.

Let the unit of capacity be the cubic foot, to be called a bushel. It will contain 1620.23 cubic inches, English; be about $\frac{1}{4}$ less than that before proposed to be adopted as a medium; $\frac{1}{10}$ less than the bushel made from 8 of the Guildhall gallons; and $\frac{1}{14}$ less than the bushel made from 8 Irish gallons, of 217.6 cubic inches.

Let the bushel be divided into 10 pottles; each pottle into 10 demi-pints, each demi-pint into 10 metres, which will be of a cubic inch each.

Let 10 bushels be a quarter, and 10 quarters a last, or double ton.

The measures for use being four-sided, and the sides and bottoms rectangular, the bushel will be a foot cube.

The pottle 5 inches square and 4 inches deep; the demi-pint 2 inches square, and $2\frac{1}{2}$ inches deep; the metre, an inch cube.

Weights.

Let the weight of a cubic inch of rain water, or the thousandth part of a cubic foot, be called an ounce; and let the ounce be divided into ten double scruples; the double scruple into ten carats; the carat into ten minims, or demi-grains; the minim into ten mites. Let ten ounces make a pound; ten pounds a stone; ten stones a kental; ten kentals a hoghead.

Coins.

Let the money unit, or dollar, contain eleven twelfths of an ounce of pure silver. This will be 376 troy grains (or, more exactly, 376.02985 troy grains) which will be about a third of a grain (or, more exactly, .38985 of a grain) more than the present unit. This, with the twelfth of alloy, already established, will make the dollar or unit, of the weight of an ounce, or of a cubic inch of rain-water exactly. The series of mills, cents, dimes, dollars, and eagles to remain as already established. (8.)

The second rod, or the second pendulum, expressed in the measures of other countries, will give the proportion between their measures and those of the united states.

Measures, weights, and coins, thus referred to standards unchangeable in their nature (as is the length of a rod vibrating seconds, and the weight of a definite mass of rain-water) will themselves be unchangeable. These standards too are such as to be accessible to all persons, in all times and places. The measures and weights derived from them fall in so nearly with some of those now in use, as to facilitate their introduction; and, being arranged in a decimal ratio, they are within the calculation of every one who possesses the first elements of arithmetic, and of easy comparison, both for foreigners and citizens, with the measures, weights, and coins of other countries.

A gradual introduction would lessen the inconveniences, which might attend too sudden a substitution, even of an easier, for a more difficult system. After a given term, for instance, it might begin in the custom-houses, where the merchants would become familiarized to it. After a further term, it might be introduced into all legal proceedings: and merchants and traders in foreign commodities, might be required to use it in their dealings with one another. After a still further term, all other descriptions of people might receive it into common use. Too long a postponement, on the other hand, would increase the difficulties of its reception with the increase of our population.

THOMAS JEFFERSON,
Secretary of State.

APPENDIX:

Containing illustrations and developements of some passages of the preceding report.

(1.) In page 37. In the second pendulum, with a spherical bob, call the distance between the centres of suspension, and of the bob, 2×19.575 , or $2d$, and the radius of the bob $= r$, then $2d : r :: r : r \div 2d$, and $\frac{2}{3}$ of this last proportional expresses the displacement of the centre of oscillation, to wit, $-\frac{2}{3} r r \div 2d = r \div 3d$: two inches have been proposed as a proper diameter for such a bob. In that case, r will be $= 1$ inch, and $r r \div 2d = 1 \div 97.875$ inches.

In the cylindrical second rod, call the length of the rod 3×19.575 , or $3d$, and its radius $= r$, and $r r \div 2 \times 3d = r \div 6d$ will express the displacement of the centre of oscillation. It is thought, the rod will be sufficiently inflexible, if it be $\frac{1}{4}$ of an inch in diameter. Then r will be $= .1$ inch, and $r r \div 6d = 1 \div 117.45$ inches, which is but the 120th part of the displacement in the case of the pendulum, with a spherical bob; and but the 689,710th part of the whole length of the rod. If the rod be even of half an inch diameter, the displacement will be but $\frac{1}{1875}$ of an inch, or $\frac{1}{110356}$ of the length of the rod.

(2.) Page 37. Sir Isaac Newton computes the pendulum for 45 deg. to be 36 pouces 8.428 lignes. Picard made the English foot 11 pouces 2.6 lignes, and Dr. Maskelyne 11 pouces 3.11 lignes. D'Alembert states it at 11 pouces 3 lignes, which has been used in these calculations as a middle term, and gives us pouces 36, lignes 8.428—39.1491 inches. This length for the pendulum of 45 deg. had been adopted in this report before the bishop of Autun's proposition was known here. He relies on Mairan's ratio for the length of the pendulum in the latitude of Paris, to wit, $504 : 257 :: 72$ pouces to a 4th proportional, which will be pouces 36.71428=39.1619 inches, the length of the pendulum for latitude 48 deg. 50. The difference between this and the pendulum for 45 deg. is .0113 of an inch: so that the pendulum for 45 deg. would be estimated, according to Mairan, at $39.1619.0113=39.1506$ inches, almost precisely the same with Newton's computation herein adopted.

(3.) Page 37. Sir Isaac Newton's computations for the different degrees of latitude, from 30 deg. to 45 deg. are as follow:

	Pieds.	Lignes.		Pieds.	Lignes
30°	3	- 7.948	42°	3	- 8.327
35	3	- 8.099	43	3	- 8.361
40	3	- 8.261	44	3	- 8.39-
41	3	- 8.294	45	3	- 8.425

(4.) page 41. Or, more exactly, $144 : : 175 : 724 : 272. 2$

(5.) page 41. Or, more exactly, $62.5 : 1728 : : 77.7 : 2150.39$

(6.) p. 42. The merchant's weight.

(7.) p. 44. The English rood contains 10890 square feet = 104.355 feetsquare.

(8.) p. 44. The measures, weights, and coins of the decimal system, estimated in those of England, now used in the united states.

1. Measures of length.

	Feet.	Equivalent in English measure.
The Point	.001	.011 inches.
Line	.01	.117
Inch	.1	1.174 about 27th more than the English inch.
Foot	1.	11.744736 } about a 48th less than the English .978728 feet, } foot.
Decad	10.	9.787 { about a 48th less than the 10 feet rod of the carpenters.
Rood	100.	97.872 { about a 16th less than the side of an English square rood.

Furlong	1000.	978.728, about $\frac{1}{3}$ more than the English furlong.
Mile	10000.	9787.28 } about $1\frac{2}{3}$ English mile, nearly the Scotch and Irish mile, and $\frac{1}{2}$ the German mile.
2. <i>Superficial measure.</i>		
The rood	Rood.	Square feet.
	1.	9589.085, about $\frac{1}{8}$ less than the English rood.
3. <i>Measures of capacity.</i>		
The metre	Bushels.	Cubic inches.
	.001	1.6202
Demipint	.01	16.202 about $\frac{3}{4}$ less than the English half pint.
Pottle	.1	162.022, about $\frac{1}{8}$ more than the English pottle.
Bushel	1.	1620.229596620920160256 } about $\frac{1}{4}$ less than the middle sized English bushel.
		.937632868414884352 cub. feet.
Quarter	10.	9.376, about $\frac{1}{5}$ less than the English quarter.
Last	100.	93.763, about $\frac{1}{4}$ more than the English last.
4. <i>Weights</i>		
Themite	Pounds.	Avoirdupois.
	.00001	-
Minim or denigrain }	.0001	-
		-
Carat	.001	-
Double scruple }	.01	-
		-
Ounce	.1	.937632868414884352 oz.
Pound	1.	9.376 .586020540093 lb. }
Stone	10.	93.763 oz. 5.8602 lb. }
Kental	100.	937.632 oz. 58.602 lb. }
Hogshead	1000.	9376.328 oz. 586.0205 lb. }
5. <i>Coins.</i>		
The mill Cent Dime	Dollars.	The dollar
	.001 .01 .1	1. 10.
		Eagle
		10.
		Troy grains.
		376.02985 pure silver.
		14.18453 alloy.
		491.21438

Speech of his excellency the president of the united states, to the senate and house of representatives of the united states.

Fellow citizens of the senate and house of representatives,

I EMBRACE, with great satisfaction, the opportunity, which now presents itself, of congratulating you on the present favourable prospects of our public affairs. The recent accession of the important state of North Carolina to the constitution of the united states (of which official information has been received)—the rising credit and respectability of our country—the general and increasing good-will towards the government of the union—and the concord, peace, and plenty, with which we are blessed, are circumstances, auspicious, in an eminent degree, to our national prosperity.

In resuming your consultations for the general good, you cannot but derive encouragement from the reflexion, that the measures of the last session have been as satisfactory to your constituents, as the novelty and difficulty of the work allowed you to hope. Still further to realize their expectations, and to secure the blessings, which a gracious providence has placed within our reach, will, in the course of the present important session, call for the cool and deliberate exertion of your patriotism, firmness, and wisdom.

Among the many interesting objects, which will engage your attention, that of providing for the common defence, will merit particular regard.—To be prepared for war, is one of the most effectual means of preserving peace.

A free people ought not only to be armed, but disciplined: to which end an uniform and well-digested plan is requisite: and their safety and interest require, that they should promote such manufactories, as tend to render them independent on others, for essential, particularly for military supplies.

The proper establishment of the troops, which may be deemed indispensable, will be entitled to mature consideration. In the arrangements which may be made respecting it, it will be of importance to conciliate the comfortable support of the officers and soldiers with a due regard to economy.

There was reason to hope, that the pacific measures, adopted with regard to certain hostile tribes of Indians, would have relieved the inhabitants of our southern and western frontiers from their depredations. But you will perceive, from the information contained in the papers, which I shall direct to be laid before you, (comprehending a communication from the commonwealth of Virginia) that we ought to be prepared to afford protection to those parts of the union—and, if necessary, to punish aggressors.

The interest of the united states requires, that our intercourse with other nations shall be facilitated by such provisions, as will enable me to fulfil my duty in that respect, in the manner, which circumstances may render most conducive to the public good: and to this end, that the compensations to be made to the persons, who may be employed, should, according to the nature of their appointments, be defined by law; and a competent fund designated for defraying the expenses incident to the conduct of our foreign affairs.

Various considerations also render it expedient, that the terms, on which foreigners may be admitted to the rights of citizens, should be speedily ascertained by an uniform rule of naturalization.

Uniformity in the currency, weights, and measures of the united states, is an object of great importance; and will, I am persuaded, be duly attended to.

The advancement of agriculture, commerce, and manufactures, by all proper means, will not, I trust, need recommendation. But I cannot forbear intimating to you the expediency of giving effectual encouragement, as well to the introduction of new and useful inventions from abroad, as to the exertions of skill and genius, in producing them at home; and of facilitating the intercourse between the distant parts of our country, by a due attention to the post office and post roads.

Nor am I less persuaded, that you will agree with me in opinion, that there is nothing, which can better deserve your patronage, than the promotion of science and literature. Knowledge is, in every country, the surest basis of public happiness. In one, in which the measures of government receive their impression so immediately from the sense of the community, as in our's, it is proportionably essential. To the security of a free constitution, it contributes in various ways—by convincing those, who are entrusted with the public administration, that every valuable end of government is best answered by the enlightened confidence of the people—and by teaching the people themselves, to know and to value their own rights; to discern and provide against invasions of them; to distinguish between oppression and the necessary exercise of lawful authority; between burdens proceeding from a disregard to their convenience, and those resulting from the inevitable exigencies of society; to discriminate the spirit of liberty from that of licentiousness—cherishing the first, avoiding the last, and uniting a speedy, but temperate vigilance against encroachments, with an inviolable respect to the laws.

Whether this desirable object will be the best promoted by affording aids to seminaries of learning already established, by the institution of a national university, or by any other expedients, will be well worthy of a place in the deliberations of the legislature.

Gentlemen of the house of representatives,

I SAW, with peculiar pleasure, at the close of the last session, the resolution entered into by you, expressive of your opinion, that an adequate provision for the support of the public credit, is a matter of high importance to the national honour and prosperity. In this sentiment, I entirely concur. And to a perfect confidence in your best endeavours to devise such a provision, as will be truly consistent with the end, I add an equal reliance on the cheerful co-operation of the other branch of the legislature. It would be superfluous, to specify inducements to a measure, in which the character and permanent interests of the united states are so obviously and so deeply concerned; and which has received so explicit a sanction from your declaration.

Gentlemen of the senate and house of representatives,

I HAVE directed the proper officers to lay before you respectively such papers and estimates, as regard to affairs particularly recommended to your consideration, and necessary to convey to you that information of the state of the union, which it is my duty to afford.

The welfare of our country is the great object to which our cares and efforts ought to be directed. And I shall derive great satisfaction from a co-operation with you, in the pleasing, though arduous task, of insuring to our fellow citizens the blessings, which they have a right to expect, from a free, efficient, and equal government.

GEORGE WASHINGTON.

United states, January 8, 1790.

Answer of the senate.

To the president of the united states,

S I R,

WE, the senate of the united states, return you our thanks for your speech, delivered to both houses of congress. The accession of the state of North Carolina to the constitution of the united states, gives us much pleasure: and we offer you our congratulations on that event, which at the same time adds strength to our union, and affords a proof, that the more the constitution has been considered, the more the goodness of it has appeared. The information, which we have received, that the measures of the last session have been as satisfactory to our constituents as we had reason to expect from the difficulty of the work, in which

we were engaged, will afford us much consolation and encouragement, in resuming our deliberations in the present session for the public good: and every exertion, on our part, shall be made to realize and secure to our country those blessings, which a gracious providence has placed within her reach.

We are persuaded, that one of the most effectual means of preserving peace, is to be prepared for war; and our attention shall be directed to the objects of common defence, and to the adoption of such plans, as shall appear the most likely to prevent our dependence on other countries for essential supplies. In the arrangements to be made, respecting the establishment of such troops as may be deemed indispensable, we shall with pleasure provide for the comfortable support of the officers and soldiers, with a due regard to economy.

We regret, that the pacific measures, adopted by government, with regard to certain hostile tribes of Indians, have not been attended with the beneficial effects towards the inhabitants of our southern and western frontiers, which we had reason to hope: and we shall cheerfully co-operate in providing the most effectual means for their protection—and, if necessary, for the punishment of aggressors.

The uniformity of the currency, and of weights and measures—the introduction of new and useful inventions from abroad—and the exertions of skill and genius in producing them at home—the facilitating the communication between the distant parts of our country, by means of the post-office and post roads—a provision for the support of the department of foreign affairs—and an uniform rule of naturalization, by which foreigners may be admitted to the rights of citizens—are objects which shall receive such early attention as their respective importance requires.

Literature and science are essential to the preservation of a free constitution: the measures of government should, therefore, be calculated to strengthen the confidence that is due to that important truth.

Agriculture, commerce, and manufactures, forming the basis of the wealth and strength of our confederated republic, must be the frequent subject of our deliberation; and shall be advanced by all proper means in our power.

Public credit being an object of great importance, we shall cheerfully co-operate in all proper measures for its support. Proper attention shall be given to such papers and estimates as you may be pleased to lay before us. Our cares and efforts shall be directed to the welfare of our country: and we have the most perfect dependence upon your co-operation with us on all occasions, in such measures as will insure to our fellow-citizens the blessings which they have a right to expect from a free, efficient, and equal government.

J O H N A D A M S, vice-president of the united states, and president of the senate.

In senate, January 11, 1790.

The address of the house of representatives to the president of the united states.

S I R,

THE representatives of the people of the united states, have taken into consideration your speech to both houses of congress at the opening of the present session.

We reciprocate your congratulations on the accession of the state of North Carolina; an event which, while it is a testimony of the increasing good-will towards the government of the union, cannot fail to give additional dignity and strength to the American republic, already rising, in the estimation of the world, in national character and respectability.

The information, that our measures of the last session have not proved dissa-

tisfactory to our constituents, affords us much encouragement at this juncture, when we are resuming the arduous task of legislating for so extensive an empire.

Nothing can be more gratifying to the representatives of a free people, than the reflexion, that their labours are rewarded by the approbation of their fellow citizens. Under this impression, we shall make every exertion to realize their expectations, and to secure to them those blessings, which providence has placed within their reach. Still prompted by the same desire to promote their interest, which then actuated us, we shall, in the present session, diligently and anxiously pursue those measures which shall appear to us conducive to that end.

We concur with you in the sentiment, that agriculture, commerce, and manufactures, are entitled to legislative protection; and that the promotion of science and literature will contribute to the security of a free government: in the progress of our deliberations, we shall not lose sight of objects so worthy of regard.

The various and weighty matters, which you have judged necessary to recommend to our attention, appear to us essential to the tranquility and welfare of the union; and claim our early and most serious consideration. We shall proceed without delay, to bestow on them that calm discussion, which their importance requires.

We regret, that the pacific arrangements, pursued with regard to certain hostile tribes of Indians, have not been attended with that success which we had reason to expect from them. We shall not hesitate to concur in such further measures, as may best obviate any ill effects which might be apprehended from the failure of those negotiations.

Your approbation of the vote of this house, at the last session, respecting the provision for the public creditors, is very acceptable to us. The proper mode of carrying that resolution into effect, being a subject in which the future character and happiness of these states are deeply involved, will be among the first to deserve our attention.

The prosperity of the united states is the primary object of all our deliberations: and we cherish the reflexion, that every measure, which we may adopt for its advancement, will not only receive your cheerful concurrence, but will at the same time derive from your co-operation, additional efficacy in insuring to our fellow citizens the blessings of a free, efficient, and equal government.

FREDERICK A. MUHLENBERG,

Jan. 12, 1790.

Speaker of the house of representatives.

George Washington, president of the united states of America:

To all, to whom these presents shall come, greeting.

WHEREAS a treaty of peace and friendship, between the united states of America and the Creek nation of Indians, was made and concluded, on the seventh day of the present month of August, by Henry Knox, secretary for the department of war, (who was duly authorized thereto by the president of the united states, with the advice and consent of the senate) on the one part—and the kings, chiefs, and warriors of the said Creek nation, whose names are thereunto signed, on the other part; which treaty is in the form and words following:

A TREATY of peace and friendship, made and concluded, between the president of the united states of America, on the part and behalf of the said states, and the undersigned kings, chiefs, and warriors of the Creek nation of Indians, on the part and behalf of the said nation.

The parties being desirous of establishing permanent peace and friendship between the united states and the said Creek nation, and the citizens and members

thereof, and to remove the causes of war, by ascertaining their limits, and making other necessary, just, and friendly arrangements: the president of the united states, by Henry Knox, secretary for the department of war, whom he hath constituted with full powers for these purposes, by and with the advice and consent of the senate of the united states: and the Creek nation, by the undersigned kings, chiefs and warriors, representing the said nation, have agreed to the following articles, viz.

I. THERE shall be perpetual peace and friendship between all the citizens of the united states of America, and all the individuals, towns, and tribes of the upper, middle and lower Creeks, and Semanories, composing the Creek nation of Indians.

II. The undersigned kings, chiefs, and warriors, for themselves, and all parts of the Creek nation, within the limits of the united states, do acknowledge themselves, and the said parts of the Creek nation, to be under the protection of the united states of America, and of no other sovereign whomsoever: and they also stipulate, that the said Creek nation will not hold any treaty with an individual state, or with individuals of any state.

III. The Creek nation shall deliver, as soon as practicable, to the commanding officer of the troops of the united states, stationed at the rock-landing, on the Oconee river, all citizens of the united states, white inhabitants or negroes, who are now prisoners in any part of the said nation. And if any such prisoners or negroes should not be so delivered, on or before the first day of June ensuing, the governor of Georgia may empower three persons to repair to the said nation, in order to claim and receive such prisoners and negroes.

IV. The boundary between the citizens of the united states and the Creek nation, is, and shall be, from where the old line strikes the river Savannah—thence up the said river to a place on the most northern branch of the same, commonly called the Keowee, where a north east line, to be drawn from the top of the Occunna mountain shall intersect—thence along the said line in a south west direction, to Tugelo river—thence to the top of the Currahee mountain—thence to the head or source of the main south branch of the Oconee river, called the Appalachee—thence down the middle of the said main south branch, and river Oconee, to its confluence with the Oaktulgee, which forms the river Altamaha, and thence down the middle of the said Altamaha, to the old line on the said river, and thence along the said old line to the river St. Mary's.

And in order to preclude forever all disputes relatively to the head or source of the main south branch of the river Oconee, at the place where it shall be intersected by the line aforesaid from the Currahee mountain; the same shall be ascertained by an able surveyor on the part of the united states, who shall be assisted by three old citizens of Georgia, who may be appointed by the governor of the said state, and three old Creek chiefs, to be appointed by the said nation. And the said surveyor, citizens, and chiefs, shall assemble for this purpose on the first day of October, one thousand seven hundred and ninety-one, at the Rock-landing, on the said river Oconee, and thence proceed to ascertain the said head, or source of the main south branch of the said river, at the place where it shall be intersected by the line aforesaid, to be drawn from the Currahee mountain. And in order, that the said boundary may be rendered distinct and well known, it shall be marked by a line of felled trees at least twenty feet wide, and the trees chopped on each side from the said Currahee mountain to the head or source of the said main south branch of the Oconee river, and thence down the margin of the said main south branch, and river Oconee, for the distance of twenty miles, or as much farther as may be necessary to mark distinctly the said boundary. And in order to extinguish forever all claims of the Creek nation, or any part thereof, to any of the land lying to the northward and eastward

of the boundary herein described, it is hereby agreed, in addition to the considerations heretofore made for the said land, that the united states will cause certain valuable Indian goods, now in the state of Georgia, to be delivered to the said Creek nation: and the said united states will also cause the sum of one thousand five hundred dollars to be paid annually to the said Creek nation. And the undersigned kings, chiefs, and warriors do hereby, for themselves and the whole Creek nation, their heirs and descendants, for the considerations above mentioned, release, quit-claim, relinquish, and cede all the land to the northward and eastward of the boundary herein described.

V. The united states solemnly guarantee to the Creek nation, all their lands within the limits of the united states to the westward and southward of the boundary described in the preceding article.

VI. If any citizen of the united states, or other person, not being an Indian, shall attempt to settle on any of the Creek lands, such person shall forfeit the protection of the united states, and the Creeks may punish him, or not, as they please.

VII. No citizen or inhabitant of the united states, shall attempt to hunt or destroy the game on the Creek lands. Nor shall any such citizen or inhabitant go into the Creek country without a passport, first obtained from the governor of some one of the united states, or the officer of the troops of the united states commanding at the nearest military post on the frontiers—or such other person as the president of the united states may from time to time authorize to grant the same.

VIII. If any Creek Indian or Indians, or person residing among them, or who shall take refuge in their nation, shall commit a robbery or murder, or other capital crime, on any of the citizens or inhabitants of the united states, the Creek nation, or town, or tribe, to which such offender or offenders may belong, shall be bound to deliver him or them up to be punished according to the laws of the united states.

IX. If any citizen or inhabitant of the united states, or of either of the territorial districts of the united states, shall go into any town, settlement, or territory belonging to the Creek nation of Indians, and shall there commit any crime upon, or trespass against the person or property of any peaceable and friendly Indian or Indians—which, if committed within the jurisdiction of any state, or within the jurisdiction of either of the said districts, against a citizen or white inhabitant thereof, would be punishable by the laws of such state or district, such offender or offenders shall be subject to the same punishment, and shall be proceeded against in the same manner as if the offence had been committed within the jurisdiction of the state or district to which he or they may belong, against a citizen or white inhabitant thereof.

X. In cases of violence on the persons or property of the individuals of either party, neither retaliation nor reprisal shall be committed by the other, until satisfaction shall have been demanded of the party, of which the aggressor is, and shall have been refused.

XI. The Creeks shall give notice to the citizens of the united states, of any designs, which they may know or suspect to be formed in any neighbouring tribe, or by any person whatever, against the peace and interests of the united states.

XII. That the Creek nation may be led to a greater degree of civilization, and to become herdsmen and cultivators, instead of remaining in a state of hunters, the united states will, from time to time, furnish gratuitously the said nation with useful domestic animals and implements of husbandry. And further to assist the said nation, in so desirable a pursuit, and at the same time to establish a certain mode of communication, the united states will send such, and so many persons, to reside in the said nation, as they may judge proper, and not exceeding four in

number, who shall qualify themselves to act as interpreters. These persons shall have lands assigned them by the Creeks for cultivation, for themselves and their successors in office: but they shall be precluded exercising any kind of traffic.

XIII. All animosities for past grievances shall henceforth cease; and the contracting parties will carry the foregoing treaty into full execution, with all good faith and sincerity.

XIV. This treaty shall take effect and be obligatory on the contracting parties, as soon as the same shall have been ratified by the president of the united states, with the advice and consent of the senate of the united states.

IN WITNESS of all and every thing herein determined between the united states of America, and the whole Creek nation, the parties have hereunto set their hands and seals, in the city of New York, within the united states, this seventh day of August, one thousand seven hundred and ninety.

In behalf of the united states,

HENRY KNOX, secretary of war, and sole commissioner for } (L. S.)
treating with the Creek nation of Indians.

In behalf of themselves and the whole Creek nation of Indians,

Signed and sealed by

ALEX. M'GILLIVRAY.

Cusetaks.

{ Fuskatche Mico, X or Birdtail king.
{ Neathlock, X or second man.
{ Halletemalthle, X or Blue giver.

Little Tallissee.

{ Opay Mico, X or the finger.
{ Tokeshajou, X or Samoniac.

Big Tallissee.

{ Hopothe Mico, X or Tallissee.
{ Opototache, X or long side.

Tuckadatchy.

{ Soholeffee, X or Young second man.
{ Ocheehajou, X or Aleck Cornel.

Natchez.

{ Chinnabie, X or the great Natches warrior.
{ Natiowachee, X or the great Natchee warrior's brother.
{ Thakoteehee, X the mole.
{ Oquakabee, X.

Chowetas.

{ Tuskeeah, X or big lieutenant.
{ Homatch, X or leader.
{ Chinnabie, X or Matthews.
{ Juleetaulematha, X or dry pine.

Of the broken arrow.

Chawockly Mico, X.

Chofades.

{ Choofades Hopoy, X or the measurer.
{ Muthtee, X the misser,
{ Stimafutchkee, X or good humour.

Alabama chief.

Stilnaleeje, X or disputer.

Oakfoys.

Mumagechee, X David Francis.

Done in presence of

RICHARD MORRIS, chief justice of the state of New York,

RICHARD VARICK, mayor of the city of New York.

MARINUS WILLETT.

THOMAS LEE SHIPPEN, of Pennsylvania,

JOHN RUTLEDGE, JUN.

JOSEPH ALLEN SMITH.

HENRY IZZARD.

his

JOSEPH X CORNELL, interpreter.

mark

NOW KNOW YE, that I, having seen and considered the said treaty, do, by and with the advice and consent of the senate of the united states, accept, ratify, and confirm the same, and every article and clause thereof. IN TESTIMONY WHEREOF, I have caused the seal of the united states to be thereunto affixed, and signed the same with my hand.

Given at the city of New York, the thirteenth day of August, in the year of our Lord, one thousand seven hundred and ninety, and in the fifteenth year of the sovereignty and independence of the united states.

GEORGE WASHINGTON.

By the president, THOMAS JEFFERSON.

By command of the president of the united states of America,
H. KNOX, *secretary for the department of war.*

Articles of a treaty, concluded at Hopewell, on the Keowee, between Benjamin Hawkins, Andrew Pickens, Joseph Martin, and Lachlan M'Intosh, commissioners plenipotentiary of the united states of America, of the one part, and the head men and warriors of all the Cherokees, of the other.

THE commissioners plenipotentiary of the united states in congress assembled, give peace to all the Cherokees, and receive them into the favour and protection of the united states of America, on the following conditions :

I. The head men and warriors of all the Cherokees, shall restore all the prisoners, citizens of the united states, or subjects of their allies, to their entire liberty : they shall also restore all the negroes, and all other property taken during the late war from the citizens, to such person, and at such time and place, as the commissioners shall appoint.

II. The commissioners of the united states in congress assembled, shall restore all the prisoners taken from the Indians during the late war, to the head men and warriors of the Cherokees, as early as it is practicable.

III. The said Indians, for themselves, and their respective tribes and towns, do acknowledge all the Cherokees to be under the protection of the united states of America, and of no other sovereign whomsoever.

IV. The boundary, allotted to the Cherokees for their hunting grounds, between the said Indians, and the citizens of the united states, within the limits of the united states of America, is, and shall be the following, viz. Beginning at the mouth of Duck river on the Tennessee; thence running north-east, to the ridge dividing the waters running into Cumberland, from those running into the Tennessee; thence eastwardly along the said ridge to a north-east line to be run, which shall strike the river Cumberland forty miles above Nashville; thence along the said line to the river; thence up the said river to the ford where the Kentucke road crosses the river; thence to Campbell's line, near Cumberland gap; thence to the mouth of Claud's Creek on Holstein; thence to the Chimney Top mountain; thence to Camp Creek, near the mouth of Big Limestone, on Nolichucky; thence a southerly course six miles to a mountain; thence south to the North Carolina line; thence to the South Carolina Indian boundary, and along the same south-west, over the top of the Oconee mountain, till it shall strike Tugalo river; thence a direct line to the top of the Currahee mountain; thence to the head of the south fork of Oconee river.

V. If any citizen of the united states, or other person, not being an Indian, shall attempt to settle on any of the lands westward or southward of the said boundary, which are hereby allotted to the Indians for their hunting grounds—or, having already settled, will not remove from the same within six months after the ratification of this treaty; such person shall forfeit the protection of the

united states; and the Indians may punish him, or not, as they please. Provided nevertheless, that this article shall not extend to the people settled between the fork of French broad, and Holstein rivers, whose particular situation shall be transmitted to the united states in congress assembled, for their decision thereon; which the Indians agree to abide by.

VI. If any Indian, or Indians, or person residing among them, or who shall take refuge in their nation, shall commit a robbery or murder, or other capital crime, on any citizen of the united states, or person under their protection, the nation, or the tribe to which such offender or offenders may belong, shall be bound to deliver him or them up to be punished according to the ordinances of the united states; provided, that the punishment shall not be greater than if the robbery or murder, or other capital crime, had been committed by a citizen on a citizen.

VII. If any citizen of the united states, or person under their protection, shall commit a robbery or murder, or other capital crime, on any Indian, such offender or offenders shall be punished in the same manner as if the murder, or robbery, or other capital crime, had been committed on a citizen of the united states: and the punishment shall be in the presence of some of the Cherokees, if any shall attend at the time and place; and that they may have an opportunity so to do, due notice of the time of such intended punishment shall be sent to some one of the tribes.

VIII. It is understood, that the punishment of the innocent, under the idea of retaliation, is unjust, and shall not be practised on either side, except where there is a manifest violation of this treaty: and then it shall be preceded, first by a demand of justice—and, if refused, then by a declaration of hostilities.

IX. For the benefit and comfort of the Indians, and for the prevention of injuries or oppressions on the part of the citizens or Indians, the united states in congress assembled shall have the sole and exclusive right of regulating the trade with the Indians, and managing all their affairs in such manner as they think proper.

X. Until the pleasure of congress be known, respecting the ninth article, all traders, citizens of the united states, shall have liberty to go to any of the tribes or towns of the Cherokees, to trade with them: and they shall be protected in their persons and property, and kindly treated.

XI. The said Indians shall give notice to the citizens of the united states, of any designs which they may know or suspect to be formed in any neighbouring tribe, or by any person whomsoever, against the peace, trade, or interest of the united states.

XII. That the Indians may have full confidence in the justice of the united states, respecting their interests, they shall have the right to send a deputy of their choice, whenever they think fit, to congress.

XIII. The hatchet shall be forever buried; and the peace given by the united states, and friendship re-established between the said states, on the one part, and all the Cherokees, on the other, shall be universal: and the contracting parties shall use their utmost endeavours to maintain the peace given as aforesaid, and friendship re-established.

IN WITNESS of all, and every thing herein determined, between the united states of America, and all the Cherokees, we, their underwritten commissioners, by virtue of our full powers, have signed this definitive treaty, and have caused our seals to be hereunto affixed.—Done at Hopewell, on the Keowee, this twenty-eighth day of November, in the year of our Lord one thousand seven hundred and eighty-five.

(Signed) BENJAMIN HAWKINS, JOSEPH MARTIN,
ANDREW PICKENS, LACHLAN M'INTOSH,
And by thirty-seven head men of the Cherokee nation.

*Articles of a treaty concluded at Hopewell, on the Keowee, near Seneca Old Town, between Benjamin Hawkins, Andrew Pickens, and Joseph Martin, commissioners plenipotentiary of the united states of America, of the one part—and Yockonahoma, great medal chief of Soonacoba, Yockehoopie, leading chief of Bugtogo-
golo, Mingohoopie, leading chief of Haskooqua, Tobocob, great medal chief of Congatoo, Poosbemaastubie, gorget captain of Sonayazo, and thirteen small medal chiefs of the first class, twelve medal and gorget captains, commissioners plenipotentiary of all the Choctaw nation, of the other part.*

THE commissioners plenipotentiary of the united states of America, give peace to all the Choctaw nation, and receive them into the favour and protection of the united states of America, on the following conditions :

I. The commissioners plenipotentiary of all the Choctaw nation, shall restore all the prisoners, citizens of the united states, or subjects of their allies, to their entire liberty, if any there be in the Choctaw nation. They also restore all the negroes, and all other property taken during the late war, from the citizens, to such person, and at such time and place, as the commissioners of the united states of America shall appoint, if any there be in the Choctaw nation.

II. The commissioners plenipotentiary of all the Choctaw nation, do hereby acknowledge the tribes and towns of the said nation, and the lands within the boundary allotted to the said Indians, to live and hunt on, as mentioned in the third article, to be under the protection of the united states of America, and of no other sovereign whomsoever.

III. The boundary of the lands, hereby allotted to the Choctaw nation to live and hunt on, within the limits of the united states of America, is, and shall be the following, viz. Beginning at a point on the thirty-first degree of north latitude, where the eastern boundary of the Natches district shall touch the same; thence east along the said thirty-first degree of north latitude, being the southern boundary of the united states of America, until it shall strike the eastern boundary of the lands on which the Indians of the said nation did live and hunt, on the twenty-ninth of November, one thousand seven hundred and eighty-two, while they were under the protection of the king of Great Britain; thence northerly along the said eastern boundary, until it shall meet the northern boundary of the said lands; thence westerly along the said northern boundary, until it shall meet the western boundary thereof; thence southerly along the same to the beginning; saving and reserving for the establishment of trading posts, three tracts or parcels of lands, of six miles square each, at such places as the united states in congress assembled shall think proper; which posts, and the lands annexed to them, shall be to the use and under the government of the united states of America.

IV. If any citizen of the united states, or other person, not being an Indian, shall attempt to settle on any of the lands hereby allotted to the Indians to live and hunt on, such person shall forfeit the protection of the united states of America, and the Indians may punish him, or not, as they please.

V. If any Indian, or Indians, or persons residing among them, or who shall take refuge in their nation, shall commit a robbery or murder, or other capital crime, on any citizen of the united states of America, or person under their protection, the tribe, to which such offenders may belong, or the nation, shall be bound to deliver him or them up to be punished according to the ordinances of the united states in congress assembled; provided that the punishment shall not be greater than if the robbery, or murder, or other capital crime, had been committed by a citizen on a citizen.

VI. If any citizen of the united states of America, or person under their protection, shall commit a robbery, or murder, or other capital crime, on any Indian, such offender or offenders shall be punished in the same manner as if

the robbery, or murder, or other capital crime, had been committed on a citizen of the united states of America; and the punishment shall be in the presence of some of the Choctaws, if any will attend at the time and place; and that they may have an opportunity so to do, due notice, if practicable, of the time of such intended punishment shall be sent to some one of the tribes.

VII. It is understood that the punishment of the innocent, under the idea of retaliation, is unjust, and shall not be practised on either side, except where there is a manifest violation of this treaty; and then it shall be preceded, first by a demand of justice, and if refused, then by a declaration of hostilities.

VIII. For the benefit and comfort of the Indians, and for the prevention of injuries or oppressions on the part of the citizens or Indians, the united states in congress assembled shall have the sole and exclusive right of regulating the trade with the Indians, and managing all their affairs in such manner as they think proper.

IX. Until the pleasure of congress be known, respecting the eighth article, all traders, citizens of the united states of America, shall have liberty to go to any of the tribes or towns of the Choctaws, to trade with them, and they shall be protected in their persons and property, and kindly treated.

X. The said Indians shall give notice to the citizens of the united states of America, of any designs which they may know or suspect to be formed in any neighbouring tribe, or by any person whomsoever, against the peace, trade or interest of the united states of America.

XI. The hatchet shall be forever buried, and the peace given by the united states of America, and friendship re-established between the said states on the one part, and all the Choctaw nation on the other part, shall be universal; and the contracting parties shall use their utmost endeavours to maintain the peace given as aforesaid, and friendship re-established.

IN WITNESS of all, and every thing herein determined, between the united states of America, and all the Choctaws, we, their underwritten commissioners, by virtue of our full powers, have signed this definitive treaty, and have caused our seals to be hereunto affixed.—Done at Hopewell, on the Keowee, this third day of January, in the year of our Lord one thousand seven hundred and eighty-six.

(Signed) BENJAMIN HAWKINS,
ANDREW PICKENS,
JOSEPH MARTIN.

Yockenahoma, Yockehoopie, Mingohoopie, Tobocoh, Pooshemastuby, Pooshahooma, Tlucoonoohoopie, Shinshemastuby, Yoopakooma, Stoonokoohoopie, Tebakuhbay, Pooshomastuby, Tuskkahoomoch, Tuskkahoomoch, Yoostenochha, Tootehooma, Toobenohoomoch, Chhecoopohoomoch, Stonakooheepie, Tusshkoheegohtha, Teshuhenochloch, Poshoonaltia, Okanconnooba, Autoonachuba, Pangekoolock, Steabee, Tensiehenna, Tusshkementahock, Tushtallay, Chhnaangehabba, Cunnopie.

(Witness) Wm. Blount, John Woods, Saml. Taylor, Robert Anderson, Benj. Lawrence.

John Pitchlynn, James Cole, interpreters.

Charge of chief justice Jay, to the grand juries, on the eastern circuit.

WHETHER any people can long govern themselves in an equal, uniform, and orderly manner, is a question, which the advocates for free governments, justly consider as being exceedingly important to the cause of liberty. This question, like others, whose solution depends on facts, can only be determined by experience: it is a question, on which many think some room for doubt

still remains. Men have had few fair opportunities of making the experiment; and this is one reason why less progress had been made in the science of government, than in almost any other. The far greater number of the constitutions and governments, of which we are informed, have originated in force, or in hatred; having been either imposed by improper exertions of power, or introduced by the arts of designing individuals, whose apparent zeal, for liberty and the public good, enabled them to take advantage of the credulity and misplaced confidence of their fellow citizens.

Providence has been pleased to bless the people of this country, with more perfect opportunities of choosing, and more effectual means of establishing their own government, than any other nation has hitherto enjoyed: and for the use we may make of these opportunities, and of these means, we shall be highly responsible to that providence, as well as to mankind in general, and to our own posterity in particular.—Our deliberations and proceedings, being unawed and uninfluenced by power or corruption, domestic or foreign, are perfectly free—our citizens generally and greatly enlightened—and our country is so extensive, that the personal influence of popular individuals can rarely embrace large portions of it. Their respective conveniences and defects in practice, and the subsequent alterations made in some of them, have operated as useful experiments; and conspired to promote our advancement in this interesting science. It is pleasing to observe, that the present national government already affords advantages, which the preceding one proved too feeble and ill-constructed to produce. How far it may be still distant from the degree of perfection to which it may possibly be carried, time only can decide. It is a consolation to reflect, that the good sense of the people will be enabled by experience, to discover and correct its imperfections, especially while they continue to retain a proper confidence in themselves, and avoid those jealousies and dissensions, which, often springing from the worst designs, frequently frustrate the best measures.

Wise and virtuous men have thought and reasoned very differently, respecting government; but in this, they have at length very unanimously agreed, viz. That its powers should be divided into three distinct, independent departments; the executive, legislative, and judicial. But how to constitute and balance them, in such a manner as best to guard against abuse and fluctuation, and preserve the constitution from encroachments, are points on which there continues to be a great diversity of opinions, and on which we have all, as yet, much to learn. The constitution of the united states has accordingly instituted these three departments: and much pains have been taken, so to form and define them, as that they may operate as checks one on the other, and keep each within its proper limits: it being universally agreed to be of the last importance to a free people, that those, who are vested with executive, legislative, and judicial powers, should rest satisfied with their respective portions of power—and neither encroach on the provinces of each other, nor suffer themselves, nor the others, to intermeddle with the rights, reserved, by the constitution, to the people.

If then, so much depends on our rightly improving the before-mentioned opportunities—if the most discerning and enlightened minds may be mistaken, relative to theories, unconfirmed by practice—if on such difficult questions, men may differ in opinion, and yet be patriots—and if the merits of our opinions can only be ascertained by experience—let us patiently abide the trial, and unite our endeavours to render it a free and impartial one.

These remarks may not appear very pertinent to the present occasion: and yet it will be readily admitted, that occasions of promoting good will and good temper, and the progress of useful truths among our fellow citizens, should not be omitted. These motives urge me further to observe, that a variety of local and

other circumstances, rendered the formation of the judicial department particularly difficult.

We had become a nation—as such we were responsible to others for the observance of the laws of nations: and as our national concerns were to be regulated by national laws, national tribunals became necessary for the interpretation and execution of them both. No tribunals of the like kind and extent had heretofore existed in this country: from such, therefore, no light of experience nor facilities of usage and habit were to be derived. Our jurisprudence varied in almost every state, and was accommodated to local, not general convenience—to partial, not national policy. This convenience and this policy were nevertheless to be regarded, and tenderly treated. A judicial control, general and final, was indispensable—the manner of establishing it, with powers neither too extensive nor too limited—rendering it properly independent and yet properly amenable, involved questions of no little intricacy. The expediency of carrying justice, as it were, to every man's door, was obvious; but how to do it, in an expedient manner, was far from being apparent. To provide against discord between national and state jurisdictions—to render them auxiliary, instead of hostile, to each other—and so to connect both, as to leave each sufficiently independent, and yet sufficiently combined—was and will be arduous.

Institutions, formed under such circumstances, should therefore be received with candour, and tried with temper and prudence. It was under these embarrassing circumstances, that the articles in the constitution, on this subject, as well as the act of congress for establishing the judicial courts of the united states, were made and passed.

Under the authority of that act, this court now sits—its jurisdiction is twofold, civil and criminal: to the exercise of the latter, you, gentlemen, are necessary, and for that purpose are now convened.

The most perfect constitution, the best governments, and the wisest laws—are vain, unless well administered and well obeyed. Virtuous citizens will observe them from a sense of duty: but those of an opposite description can be restrained only by fear of disgrace and punishment. Such being the state of things, it is essential to the welfare of society, and to the protection of each member of it, in the peaceable enjoyment of his rights, that offenders be punished.

The end of punishment, however, is not to expiate offences; but by the terror of example, to deter men from the commission of them. To render these examples useful, policy, as well as morality, require not only that punishment be proportionate to guilt, but that all proceedings, against persons accused or suspected, should be accompanied by the reflexion, that they may be innocent. Hence, therefore, it is proper, that dispassionate and careful enquiry should precede those rigours, which justice exacts, and which should always be tempered with as much humanity and benevolence as the nature of such cases may admit. Warm, partial, and precipitate prosecutions, and cruel and abominable executions, such as racks, embowelling, drawing, quartering, burning, and the like, are no less impolitic than inhuman. They infuse, into the public mind, disgust at the barbarous severity of government, and fill it with pity and partiality for the sufferers. On the contrary, when offenders are prosecuted with temper and decency—when they are convicted, after impartial trials, and punished in a manner becoming the dignity of public justice to prescribe—the feelings and sentiments of men will be on the side of government: and however disposed they may, and ought to be, to regard suffering offenders with compassion: yet that compassion will never be unmingled with a due degree of indignation.

We are happy, that the genius of our laws is mild: and we have abundant reason to rejoice, in possessing one of the best institutions that ever was devised for bringing offenders to justice, without endangering the peace and security of

the innocent I—mean that of grand jurors. Greatly does it tend to promote order and good government, that, in every district, there should frequently be assembled a number of the most discreet and respectable citizens in it, who on their oaths are bound to enquire into and present all offences committed against the laws in such district—and greatly does it tend to the quiet and safety of good and peaceful citizens, that no man can be put in jeopardy for imputed crimes, without such previous enquiry and presentment. The extent of your district, gentlemen, which is commensurate with the state, necessarily extends your duty throughout every county in it, and demands proportionable diligence in your enquiries, and circumspection in your presentments.

The objects of your enquiry are all offences committed against the laws of the united states in this district, or on the high seas by persons now in the district. You will recollect, that the laws of nations make part of the laws of this, and of every other civilized nation. They consist of those rules for regulating the conduct of nations towards each other, which, resulting from right reason, receive their obligation from that principle, and from general assent and practice. To this head also belong those rules or laws, which by agreement become established between particular nations : and of this kind are treaties, conventions, and the like compacts. As, in private life, a fair and legal contract between two men, cannot be annulled or altered by either, without the consent of the other ; so neither can treaties between nations. States and legislatures may repeal their regulating statutes ; but they cannot repeal their bargains. Hence it is, that treaties, fairly made and concluded, are perfectly obligatory, and ought to be punctually observed. We are now a nation : and it equally becomes us to perform our duties, as to assert our rights.

The penal statutes of the united states are few, and principally respect the revenue. The right ordering and management of this important business, is very essential to the credit, character, and prosperity of our country. On the citizens at large, is placed the burden of providing for the public exigencies. Whoever therefore fraudulently withdraws his shoulder from that common burden, necessarily leaves his portion of the weight to be borne by the others, and thereby does injustice, not only to the government, but to them.

Direct your attention also to the conduct of the national officers—and let not any corruptions, frauds, extortions, or criminal negligence, with which you may find any of them justly chargeable, pass unnoticed. In a word, gentlemen, your province, and your duty, extend (as has been before observed) to the enquiry and presentment of all offences of every kind, committed against the united states, in this district, or on the high seas by persons in it. If in the performance of your duty, you should meet with difficulties, the court will be ready to afford you proper assistance.

It cannot be too strongly impressed on the minds of us all, how greatly our individual prosperity depends on our national prosperity—and how greatly our national prosperity depends on a well-organized, vigorous government, ruling by wise and equal laws, faithfully executed:—nor is such a government unfriendly to liberty—to that liberty which is really inestimable. On the contrary, nothing but a strong government of laws irresistibly bearing down arbitrary power and licentiousness, can defend it against those two formidable enemies. Let it be remembered, that civil liberty consists, not in a right to every man to do just what he pleases : but it consists in equal right to all the citizens, to have, enjoy, and to do in peace, security, and without molestation, whatever the equal and constitutional laws of the country admit to be consistent with the public good. It is the duty and the interest, therefore, of all good citizens, in their several stations, to support the laws and government, which thus protect their rights and liberties. I am persuaded, gentlemen, that you will cheerfully perform the task now assigned you : and I forbear, by additional remarks, to detain you longer from it.

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C O L L E C T I O N
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U N I T E D S T A T E S, &c.

N E W H A M P S H I R E.

In congress at Exeter, January 5, 1776.

WE, the members of the congress of the colony of New Hampshire, chosen and appointed, by the free suffrages of the people of said colony, and authorised and empowered by them, to meet together, and use such means, and pursue such measures, as we shall judge best for the public good;—and, in particular, to establish some form of government, provided that measure should be recommended by the continental congress; and a recommendation to that purpose having been transmitted to us, from the said congress—have taken into our serious consideration the unhappy circumstances, into which this colony is involved, by means of many grievous and oppressive acts of the British parliament, depriving us of our native and constitutional rights and privileges; to enforce obedience to which acts, a powerful fleet and army have been sent into this country, by the ministry of Great Britain, who have exercised a wanton and cruel abuse of their power, in destroying the lives and properties of the colonists, in many places, with fire and sword, taking the ships and lading from many of the honest and industrious inhabitants of this colony, employed in commerce, agreeable to the laws and customs a long time used here.

The sudden and abrupt departure of his excellency John Wentworth, esq. our late governor, and several of the council, leaving us destitute of legislation; and no executive courts being open, to punish criminal offenders, whereby the lives, and properties, of the honest people of this colony, are liable to the machinations and evil designs of wicked men:—

Therefore, for the preservation of peace and good order, and for the security of the lives and properties of the inhabitants of this colony, we conceive ourselves reduced to the necessity of establishing a form of government, to continue during the present unhappy and unnatural contest with Great Britain; protesting and declaring, that we never sought to throw off our dependance upon Great-Britain: but felt ourselves happy under her protection, while we could enjoy our constitutional rights and privileges—and that we shall rejoice, if such a reconciliation, between us and our parent state, can be effected, as shall be approved by the continental congress, in whose prudence and wisdom we confide.

Accordingly, pursuant to the trust reposed in us, we do resolve, that this congress assume the name, power, and authority, of a house of representatives, or assembly, for the colony of New Hampshire: and that said house then proceed to choose twelve persons, being reputable freeholders, and inhabitants within this colony, in the following manner, viz. five in the county of Rockingham, two in the county of Strafford, two in the county of Hillsborough, two in the county of Cheshire, and one in the county of Grafton,—to be a distinct and separate branch of the legislature, by the name of a council for this colony, to continue as such until the third Wednesday in December next; any seven of whom to be a quorum, to do business:

That such council appoint their president; and, in his absence, that the senior counsellor preside:

That a secretary be appointed by both branches, who may be a counsellor, or otherwise, as they shall choose:

That no act, or resolve, be valid, and put into execution, unless agreed to, and passed, by both branches of the legislature.

That all public officers, for the said colony, and each county, for the current year, be appointed by the council and assembly, except the several clerks of the executive courts, who shall be appointed by the justices of the respective courts:

That all bills, resolves, or votes, for raising, levying and collecting money, originate in the house of representatives:

That, at any sessions of the council and assembly, neither branch shall adjourn, for any longer time, than from Saturday till the next Monday, without consent of the other.

And it is further resolved, that, if the present unhappy dispute, with Great Britain, should continue longer than this present year—and the continental congress give no instructions or directions to the contrary—the council be chosen by the people of each respective county, in such manner, as the council and house of representatives shall order:

That general and field officers of the militia, on any vacancy, be appointed by the two houses, and all inferior officers be chosen by the respective companies:

That all officers of the army be appointed by the two houses, except they should direct otherwise, in case of any emergency:

That all civil officers, for the colony, and for each county, be appointed, and the time of their continuance in office, be determined, by the two houses, except clerks, and county treasurers, and recorders of deeds:

That a treasurer, and a recorder of deeds, for each county, be annually chosen, by the people of each county respectively; the votes for such officers to be returned to the respective courts of general sessions of the peace, in the county, there to be ascertained, as the council and assembly shall hereafter direct:

That precepts in the name of the council and assembly, signed by the president of the council, and speaker of the house of representatives, shall issue annually, at or before the first day of November, for the choice of a council, and house of representatives, to be returned by the third Wednesday in December then next ensuing, in such manner, as the council and assembly shall hereafter prescribe.

In the house of representatives, September 19, 1776.

Voted and resolved,

THAT, as any new towns, or settlements, in this state, shall increase in their number of inhabitants, from year to year, or from time to time, precepts shall issue for their sending delegates to council and assembly, so as to be fully represented, according to their numbers, proportionable with other parts of the state. *Sent up for concurrence,* P. WHITE, speaker.

In council, Eodem die.—Read and concurred. E. Thompson, Sec.

Copy examined, per E. Thompson, Sec.

MASSACHUSETTS.

A constitution, or frame of government, agreed upon by the delegates of the people of the state of Massachusetts-bay, in convention, begun and held at Cambridge, on the first of September, 1779, and continued by adjournments, to the second of March, 1780.

PREAMBLE.

THE end of the institution, maintenance, and administration of government is to secure the existence of the body politic, to protect it, and to furnish

the individuals, who compose it, with the power of enjoying, in safety and tranquillity, their natural rights, and the blessings of life : and whenever these great objects are not obtained, the people have a right to alter the government, and to take measures, necessary for their safety, prosperity, and happiness.

The body politic is formed by a voluntary association of individuals. It is a social compact, by which the whole people covenants with each citizen, and each citizen with the whole people, that all shall be governed by certain laws for the common good. It is the duty of the people, therefore, in framing a constitution of government, to provide for an equitable mode of making laws, as well as for an impartial interpretation, and a faithful execution of them ; that every man may, at all times, find his security in them.

We, therefore, the people of Massachusetts, acknowledging, with grateful hearts, the goodness of the Great Legislator of the universe, in affording us, in the course of his providence, an opportunity, deliberately and peaceably, without fraud, violence, or surprise, of entering into an original, explicit, and solemn compact with each other—and of forming a new constitution of civil government, for ourselves and posterity ;—and devoutly imploring his direction in so interesting a design, do agree upon, ordain, and establish, the following declaration of rights, and frame of government, as the constitution of the commonwealth of Massachusetts.

PART. I.

A declaration of rights, of the inhabitants of the commonwealth of Massachusetts.

Art. I. All men are born free and equal, and have certain natural, essential, and unalienable rights ; among which may be reckoned the right of enjoying and defending their lives and liberties ; that of acquiring, possessing, and protecting property ; in fine, that of seeking and obtaining their safety and happiness.

II. It is the right, as well as the duty, of all men in society, publicly, and at stated seasons, to worship the Supreme Being, the great Creator and Preserver of the universe. And no subject shall be hurt, molested, or restrained, in his person, liberty, or estate, for worshipping God in the manner and season, most agreeable to the dictates of his own conscience ; or for his religious profession or sentiments—provided he doth not disturb the public peace, or obstruct others in their religious worship.

III. As the happiness of a people, and the good order and preservation of civil government, essentially depend upon piety, religion, and morality ; and as these cannot be generally diffused through a community, but by the institution of the public worship of God, and of public instructions in piety, religion, and morality :—Therefore, to promote their happiness, and to secure the good order and preservation of their government, the people of this commonwealth have a right to invest their legislature with power to authorise and require, and the legislature shall, from time to time, authorise and require the several towns, parishes, precincts, and other bodies-politic, or religious societies, to make suitable provision, at their own expense, for the institution of the public worship of God, and for the support and maintenance of public Protestant teachers of piety, religion, and morality, in all cases, where such provision shall not be made voluntarily.

And the people of this commonwealth have also a right to, and do, invest their legislature with authority, to enjoin, upon all the subjects, an attendance upon the instructions of the public teachers, as aforesaid, at stated times and seasons, if there be any, on whose instructions they can conscientiously and conveniently attend :—

Provided, notwithstanding, that the several towns, parishes, precincts, and other bodies-politic, or religious societies, shall, at all times, have the exclusive

right of electing their public teachers, and of contracting with them, for their support and maintenance.

And all monies, paid by the subject, to the support of public worship, and of the public teachers aforesaid, shall, if he require it, be uniformly applied to the support of the public teacher, or teachers, of his own religious sect or denomination, provided there be any, on whose instructions he attends : otherwise it may be paid towards the support of the teacher, or teachers, of the parish, or precinct, in which the said monies are raised.

And every denomination of christians, demeaning themselves peaceably, and as good subjects of the commonwealth, shall be equally under the protection of the law : and no subordination of any one sect or denomination, to another, shall ever be established by law.

IV. The people of this commonwealth have the sole and exclusive right of governing themselves, as a free, sovereign, and independent state ; and do, and forever hereafter shall, exercise and enjoy every power, jurisdiction, and right, which is not, or may not hereafter, be by them expressly delegated to the united states of America, in congress assembled.

V. All power residing originally in the people, and being derived from them—the several magistrates, and officers of government, vested with authority, whether legislative, executive, or judicial, are their substitutes and agents, and are, at all times, accountable to them.

VI. No man, or corporation, or association of men, have any other title, to obtain advantages, or particular and exclusive privileges, distinct from those of the community, than what arises from the consideration of services, rendered to the public. And this title being, in nature, neither hereditary, nor transmissible to children, or descendants, or relations by blood,—the idea of a man, born a magistrate, lawgiver, or judge, is absurd and unnatural.

VII. Government is instituted for the common good ; for the protection, safety, prosperity, and happiness of the people ; and not for the profit, honour, or private interest of any one man, family, or class of men. Therefore, the people alone have an incontestable, unalienable, and indefeasible right, to institute government ; and to reform, alter, or totally change the same, when their protection, safety, prosperity, and happiness, require it.

VIII. In order to prevent those, who are vested with authority, from becoming oppressors, the people have a right, at such periods, and in such manner, as they shall establish by their frame of government, to cause their public officers to return to private life ; and to fill up vacant places, by certain and regular elections and appointments.

IX. All elections ought to be free ; and all the inhabitants of this commonwealth, having such qualifications, as they shall establish by their frame of government, have an equal right, to elect officers, and to be elected for public employments.

X. Each individual of the society has a right, to be protected by it, in the enjoyment of his life, liberty, and property, according to standing laws. He is obliged, consequently, to contribute his share, to the expense of this protection ; to give his personal service, or an equivalent, when necessary. But no part of the property of any individual can, with justice, be taken from him, or applied to public uses, without his own consent, or that of the representative body of the people. In fine, the people of this commonwealth are not controllable by any other laws, than those, to which their constitutional representative body have given their consent. And whenever the public exigences require, that the property of any individual should be appropriated to public uses, he shall receive a reasonable compensation therefor.

XI. Every subject of the commonwealth ought to find a certain remedy, by

having recourse to the laws, for all injuries or wrongs, which he may receive, in his person, property, or character. He ought to obtain right and justice freely, and without being obliged to purchase it—completely, and without any denial—promptly, and without delay—conformably to the laws.

XII. No subject shall be held to answer for any crime or offence, until the same is fully and plainly, substantially and formally, described to him; or be compelled to accuse, or furnish evidence against himself. And every subject shall have a right to produce all proofs, that may be favourable to him: to meet the witnesses against him, face to face; and to be fully heard in his defence, by himself, or his council, at his election. And no subject shall be arrested, imprisoned, despoiled, or deprived of his property, immunities, or privileges, put out of the protection of the law, exiled, or deprived of his life, liberty, or estate, but by the judgment of his peers, or the law of the land.

And the legislature shall not make any law, that shall subject any person to a capital or infamous punishment, (excepting for the government of the army and navy) without trial by jury.

XIII. In criminal prosecutions, the verification of facts, in the vicinity where they happen, is one of the greatest securities of the life, liberty and property of the citizen.

XIV. Every subject has a right to be secure from all unreasonable searches, and seizures, of his person, his houses, his papers, and all his possessions. All warrants, therefore, are contrary to this right, if the cause or foundation of them be not previously supported by oath or affirmation; and if the order, in a warrant, to a civil officer, to make search in all suspected places, or to arrest one or more suspected persons, or to seize their property, be not accompanied with a special designation of the persons or objects of search, arrest, or seizure. And no warrant ought to be issued, but in cases, and with the formalities, prescribed by the laws.

XV. In all controversies concerning property, and in all suits between two or more persons, (except in cases, in which it has heretofore been otherwise used and practised) the parties have a right to a trial by a jury; and this method of procedure shall be held sacred; unless, in causes arising on the high seas, and such as relate to mariners' wages, the legislature shall hereafter find it necessary to alter it.

XVI. The liberty of the press is essential to the security of freedom in a state; it ought not, therefore, to be restrained in this commonwealth.

XVII. The people have a right to keep and to bear arms for the common defence. And as, in time of peace, armies are dangerous to liberty, they ought not to be maintained, without the consent of the legislature; and the military power shall always be held in exact subordination to the civil authority, and be governed by it.

XVIII. A frequent recurrence to the fundamental principles of the constitution, and a constant adherence to those of piety, justice, moderation, temperance, industry, and frugality, are absolutely necessary, to preserve the advantages of liberty, and to maintain a free government. The people ought, consequently, to have a particular attention to all those principles, in the choice of their officers and representatives: and they have a right to require of their lawgivers and magistrates, an exact and constant observance of them, in the formation and execution of all laws, necessary for the good administration of the commonwealth.

XIX. The people have a right, in an orderly and peaceable manner, to assemble to consult upon the common good; give instructions to their representatives; and to request of the legislative body, by the way of addresses, petitions, or remonstrances, redress of the wrongs done them, and of the grievances they suffer.

XX. The power of suspending the laws, or the execution of the laws, ought never to be exercised, but by the legislature, or by authority derived from it, to be exercised in such particular cases only, as the legislature shall expressly provide for.

XXI. The freedom of deliberation, speech, and debate, in either house of the legislature, is so essential to the rights of the people, that it cannot be the foundation of any accusation or prosecution, action, or complaint, in any other court or place whatsoever.

XXII. The legislature ought frequently to assemble, for the redress of grievances, for correcting, strengthening, and confirming the laws, and for making new laws, as the common good may require.

XXIII. No subsidy, charge, tax, impost, or duties, ought to be established, fixed, laid, or levied, under any pretext whatsoever, without the consent of the people, or their representatives in the legislature.

XXIV. Laws, made to punish for actions, done before the existence of such laws, and which have not been declared crimes by preceding laws, are unjust, oppressive, and inconsistent with the fundamental principles of a free government.

XXV. No subject ought, in any case, or in any time, to be declared guilty, of treason or felony by the legislature.

XXVI. No magistrate, or court of law, shall demand excessive bail or sureties, impose excessive fines, or inflict cruel or unusual punishments.

XXVII. In time of peace, no soldier ought to be quartered in any house, without the consent of the owner; and in time of war, such quarters ought not to be made, but by the civil magistrate, in a manner ordained by the legislature.

XXVIII. No person can, in any case, be subjected to law martial, or to any penalties or pains, by virtue of that law, (except those employed in the army or navy, and except the militia in actual service) but by authority of the legislature.

XXIX. It is essential to the preservation of the rights of every individual, his life, liberty, property, and character, that there be an impartial interpretation of the laws, and administration of justice. It is the right of every citizen, to be tried by judges, as free, impartial, and independent, as the lot of humanity will admit. It is, therefore, not only the best policy, but for the security of the rights of the people, and of every citizen, that the judges of the supreme judicial court should hold their offices as long as they behave themselves well; and that they should have honourable salaries, ascertained and established by standing laws.

XXX. In the government of this commonwealth, the legislative department shall never exercise the executive and judicial powers, or either of them: the executive shall never exercise the legislative and judicial powers, or either of them: the judicial shall never exercise the legislative and executive powers, or either of them: to the end, it may be a government of laws, and not of men.

PART II.

The FRAME of GOVERNMENT.

The people, inhabiting the territory, formerly called the province of Massachusetts bay, do hereby solemnly and mutually agree with each other, to form themselves into a free, sovereign, and independent body-politic or state, by the name of, The commonwealth of Massachusetts.

CHAP. I. THE LEGISLATIVE POWER.

SECTION I. *The GENERAL COURT.*

ART. I. THE department of legislation shall be formed by two branches, a senate and house of representatives; each of which shall have a negative on the other.

The legislative body shall assemble every year, on the last Wednesday in May, and at such other times, as they shall judge necessary; and shall dissolve and be dissolved, on the day next preceding the said last Wednesday in May; and shall be styled, The general court of Massachusetts.

II. No bill or resolve, of the senate, or house of representatives, shall become a law, and have force as such, until it shall have been laid before the governor for his revial: and if he, upon such revision, approve thereof, he shall signify his approbation, by signing the same. But if he have any objection to the passing of such bill or resolve, he shall return the same, together with his objections thereto, in writing, to the senate or house of representatives, in which soever the same shall have originated; who shall enter the objections, sent down by the governor, at large, on their records, and proceed to reconsider the said bill or resolve. But if after such reconsideration, two-thirds of the said senate or house of representatives shall, notwithstanding the said objections, agree to pass the same, it shall, together with the objections, be sent to the other branch of the legislature, where it shall also be reconsidered; and if approved by two-thirds of the members present, it shall have the force of a law. But in all such cases, the votes of both houses shall be determined by yeas and nays; and the names of the persons voting for, or against, the said bill or resolve, shall be entered upon the public records of the commonwealth.

And in order to prevent unnecessary delays, if any bill or resolve shall not be returned by the governor within five days after it shall have been presented, the same shall have the force of a law.

III. The general court shall forever have full power and authority to erect and constitute judicatories, and courts of record, or other courts, to be held in the name of the commonwealth, for the hearing, trying, and determining of all manner of crimes, offences, pleas, processes, complaints, actions, matters, causes, and things, whatsoever, arising or happening within the commonwealth, or between or concerning persons inhabiting or residing, or brought within the same; whether the same be criminal or civil, or whether the said crimes be capital or not capital, and whether the said pleas be real, personal, or mixed; and for the awarding and making out of execution thereupon:—to which courts and judicatories, are hereby given and granted full power and authority, from time to time, to administer oaths or affirmations, for the better discovery of truth in any matter in controversy or depending before them.

IV. And further, full power and authority are hereby given and granted to the said general court, from time to time, to make, ordain and establish, all manner of wholesome, and reasonable orders, laws, statutes, and ordinances, directions and instructions, either with penalties, or without; (so as the same be not repugnant or contrary to this constitution) as they shall judge to be for the good and welfare of this commonwealth, and for the government and ordering thereof, and of the subjects of the same, and for the necessary support and defence of the government thereof; and to name and settle annually, or provide by fixed laws, for the naming and settling all civil officers, within the said commonwealth, the election and constitution of whom are not hereafter, in this form of government, otherwise provided for; and to set forth the several duties, powers and limits, of the several civil and military officers of this commonwealth, and the forms of such oaths or affirmations, as shall be respectively administered unto them, for the execution of their several offices and places, so as the same be not repugnant or contrary to this constitution; and to impose and levy proportional and reasonable assessments, rates, and taxes, upon all the inhabitants of, and persons resident, and estates lying, within the said commonwealth; and also to impose, and levy, reasonable duties and excises, upon any produce, goods, wares, merchandises, and commodities whatsoever, brought into

produced, manufactured or being within the same; to be issued and disposed of by warrant, under the hand of the governor of this commonwealth for the time being, with the advice and consent of the council, for the public service, in the necessary defence and support of the government of the said commonwealth, and the protection and preservation of the subjects thereof, according to such acts, as are or shall be in force within the same.

And while the public charges of government, or any part thereof, shall be assessed on polls and estates, in the manner, that has hitherto been practised;—in order that such assessments may be made with equality, there shall be a valuation of estates, within the commonwealth, taken anew, once in every ten years at the least, and as much oftener as the general court shall order.

CHAP. I.

SECTION II. SENATE.

Art. I. THERE shall be annually elected by the freeholders and other inhabitants of this commonwealth, qualified as in this constitution is provided, forty persons, to be counsellors and senators, for the year ensuing their election; to be chosen by the inhabitants of the districts, into which the commonwealth may, from time to time, be divided by the general court, for that purpose. And the general court, in assigning the numbers to be elected by the respective districts, shall govern themselves by the proportion of the public taxes paid by the said districts; and timely make known to the inhabitants of the commonwealth, the limits of each district, and the number of counsellors and senators to be chosen therein; provided that the number of such districts shall be never less than thirteen; and that no district be so large as to entitle the same to choose more than six senators. And the several counties, in this commonwealth, shall (until the general court shall determine it necessary to alter the said districts) be districts for choice of counsellors and senators (except that the counties of Duke's-county and Nantucket shall form one district for that purpose) and shall elect the following number for counsellors and senators, viz.

Suffolk	—	—	—	Six	York	—	—	—	Two
Essex	—	—	—	Six	Duke's county and	}	One		
Middlesex	—	—	—	Five	Nantucket				
Hampshire	—	—	—	Four	Worcester	—	—	—	Five
Plymouth	—	—	—	Three	Cumberland	—	—	—	One
Barnstable	—	—	—	One	Lincoln	—	—	—	One
Bristol	—	—	—	Three	Berkshire	—	—	—	Two

II. The senate shall be the first branch of the legislature; and the senators shall be chosen in the following manner, viz. There shall be a meeting, on the first Monday in April, annually, forever, of the inhabitants of each town in the several counties of this commonwealth; to be called by the selectmen, and warned in due course of law, at least seven days before the first Monday in April, for the purpose of electing persons to be senators and counsellors. And at such meetings, every male inhabitant of twenty-one years of age and upwards, having a freehold estate, within the commonwealth, of the annual income of three pounds, or any estate of the value of sixty pounds, shall have a right to give in his vote, for the senators, for the district, of which he is an inhabitant. And to remove all doubts, concerning the meaning of the word "inhabitant," in this constitution, every person shall be considered as an inhabitant, (for the purpose of electing and being elected into any office or place within this state) in that town, district or plantation, where he dwelleth or hath his home.

The selectmen of the several towns shall preside at such meetings impartially; and shall receive the votes of all the inhabitants of such towns, present and qua-

lified to vote for senators: and shall sort and count them in open town meeting, and in presence of the town clerk, who shall make a fair record, in presence of the selectmen, and in open town meeting, of the name of every person voted for, and of the number of votes against his name; and a fair copy of this record shall be attested by the selectmen and the town clerk, and shall be sealed up, directed to the secretary of the commonwealth for the time being, with a superscription, expressing the purports of the contents thereof, and delivered, by the town clerk of such town, to the sheriff of the county, in which such town lies, thirty days at least before the last Wednesday in May, annually; or it shall be delivered into the secretary's office, seventeen days, at least, before the said last Wednesday in May; and the sheriff of each county shall deliver all such certificates, by him received, into the secretary's office, seventeen days before the said last Wednesday in May.

And the inhabitants of plantations unincorporated (qualified as this constitution provides) who are or shall be impowered and required to assess taxes upon themselves, toward the support of government, shall have the same privilege of voting for counsellors and senators in the plantations where they reside, as town inhabitants have in their respective towns; and the plantation meetings, for that purpose, shall be held annually on the same first Monday in April, at such place in the plantations respectively, as the assessors thereof shall direct; which assessors shall have like authority, for notifying the electors, collecting and returning the votes, as the selectmen and town clerks have in their several towns, by this constitution. And all other persons, living in places unincorporated (qualified as aforesaid) who shall be assessed to the support of government by the assessors of an adjacent town, shall have the privilege of giving in their votes for counsellors and senators, in the town where they shall be assessed, and be notified of the place of meeting, by the selectmen of the town, where they shall be assessed, for that purpose accordingly.

III. And that there may be a due convention of senators on the last Wednesday in May annually, the governor, and five of the council, for the time being, shall, as soon as may be, examine the returned copies of such records; and fourteen days before the said day, he shall issue his summons to such persons, as shall appear to be chosen by the majority of voters, to attend on that day, and take their seats accordingly;—provided, nevertheless, that for the first year, the said returned copies shall be examined by the president and five of the council of the former constitution of government; and the said president shall, in like manner, issue his summons to the persons so elected, that they may take their seats as aforesaid.

IV. The senate shall be the final judge of the elections, returns and qualifications of their own members, as pointed out in the constitution; and shall, on the said last Wednesday in May, annually, determine and declare, who are elected by each district, to be senators, by a majority of votes; and in case there shall not appear to be the full number of senators returned, elected by a majority of votes for any district, the deficiency shall be supplied in the following manner, viz. the members of the house of representatives, and such senators as shall be declared elected, shall take the names of such persons, as shall be found to have the highest number of votes in such district, and not elected, amounting to twice the number of senators wanting, if there be so many voted for; and out of these, shall elect, by ballot, a number of senators, sufficient to fill up the vacancies in such district; and in this manner, all such vacancies shall be filled in every district of the commonwealth: and in like manner, all vacancies in the senate, arising by death, removal out of the state, or otherwise, shall be supplied as soon as may be after such vacancies shall happen:—

Provided, nevertheless, that no person shall be capable of being elected as a

senator, who is not seized, in his own right, of a freehold within this commonwealth, of the value of three hundred pounds at least, or possessed of personal estate to the value of six hundred pounds at least, or of both to the amount of the same sum; and who has not been an inhabitant of this commonwealth for the space of five years immediately preceding his election; and at the time of his election he shall be an inhabitant in the district, for which he shall be chosen.

VI. The senate shall have power to adjourn themselves, provided such adjournments do not exceed two days at a time.

VII. The senate shall choose its own president, appoint its own officers, and determine its own rules of proceedings.

VIII. The senate shall be a court, with full authority, to hear and determine all impeachments, made by the house of representatives, against any officer or officers of the commonwealth, for misconduct and mal-administration in their offices. But previous to the trial of every impeachment, the members of the senate shall respectively be sworn, truly and impartially to try and determine the charge in question, according to evidence. Their judgment, however, shall not extend further, than to removal from office, and disqualification to hold or enjoy any place of honour, trust or profit, under this commonwealth: but the party so convicted, shall be, nevertheless, liable to indictment, trial, judgment, and punishment, according to the laws of the land.

IX. Not less than sixteen members of the senate, shall constitute a quorum for doing business.

CHAP. I. SEC. III.

HOUSE OF REPRESENTATIVES.

ART. I. THERE shall be, in the legislature of this commonwealth, a representation of the people, annually elected, and founded upon the principle of equality.

II. And in order to provide for a representation of the citizens of this commonwealth, founded on the principle of equality, every corporate town, containing one hundred and fifty rateable polls, may elect one representative:—every corporate town, containing three hundred and seventy-five rateable polls, may elect two representatives: every corporate town, containing six hundred rateable polls, may elect three representatives;—and proceeding in that manner, making two hundred and twenty-five rateable polls the mean increasing number, for every additional representative:—

Provided, nevertheless, that each town now incorporated, not having one hundred and fifty rateable polls, may elect one representative. But no place shall hereafter be incorporated with the privilege of electing a representative, unless there are, within the same, one hundred and fifty rateable polls.

And the house of representatives shall have power, from time to time, to impose fines upon such towns, as shall neglect to choose and return members to the same, agreeably to this constitution.

The expenses of travelling to the general assembly, and returning home, once in every session and no more, shall be paid by the government, out of the public treasury, to every member who shall attend as seasonably as he can, in the judgment of the house, and does not depart without leave.

III. Every member of the house of representatives shall be chosen by written votes; and for one year at least, next preceding his election, shall have been an inhabitant of, and have been seized, in his own right, of a freehold of the value of one hundred pounds, within the town he shall be chosen to represent, or any rateable estate, to the value of two hundred pounds; and he shall cease to represent the said town, immediately on his ceasing to be qualified as aforesaid.

IV. Every male person (being twenty-one years of age, and resident in any particular town in this commonwealth, for the space of one year next preceding)

having a freehold estate within the same town, of the annual income of three pounds, or any estate of the value of sixty pounds, shall have a right to vote in the choice of a representative, or representatives, for the said town.

V. The members of the house of representatives shall be chosen annually, in the month of May, ten days, at least, before the last Wednesday of that month.

VI. The house of representatives shall be the grand inquest of this commonwealth; and all impeachments, made by them, shall be heard and tried by the senate.

VII. All money bills shall originate in the house of representatives: but the senate may propose or concur with amendments, as on other bills.

VIII. The house of representatives shall have power to adjourn themselves; provided such adjournment shall not exceed two days at a time.

IX. Not less, than sixty members of the house of representatives, shall constitute a quorum for doing business.

X. The house of representatives shall be the judge of the returns, elections, and qualifications of its own members, as pointed out in the constitution; shall choose their own speaker; appoint their own officers, and settle their rules and orders of proceeding in their own house. They shall have authority to punish, by imprisonment, every person, (not a member) who shall be guilty of disrespect to the house, by any disorderly or contemptuous behaviour in its presence; or who, in the town where the general court is sitting, and during the time of its sitting, shall threaten harm to the body or estate of any of its members, for any thing said or done in the house; or who shall assault any of them therefor; or who shall assault, or arrest any witness, or other person, ordered to attend the house, in his way in going, or returning; or who shall rescue any person arrested by the order of the house.

And no member of the house of representatives shall be arrested, or held to bail on mesne process, during his going unto, returning from, or his attending the general assembly.

XI. The senate shall have the same powers in the like cases; and the governor and council shall have the same authority to punish in like cases:—provided, that no imprisonment, on the warrant or order of the governor, council, senate, or house of representatives, for either of the above described offences, be for a term exceeding thirty days.

And the senate and house of representatives may try, and determine, all cases, where their rights and privileges are concerned, and which, by the constitution, they have authority to try and determine, by committees of their own members, or in such other way, as they may respectively think best.

CHAPTER II. EXECUTIVE POWER.

SECTION I. GOVERNOR.

ART. I. THERE shall be a supreme executive magistrate, who shall be styled, The governor of the commonwealth of Massachusetts; and whose title shall be, His excellency.

II. The governor shall be chosen annually: and no person shall be eligible to this office, unless, at the time of his election, he shall have been an inhabitant of this commonwealth, for seven years next preceding; and unless he shall, at the same time, be seized, in his own right, of a freehold within the commonwealth, of the value of one thousand pounds; and unless he shall declare himself to be of the christian religion.

III. Those persons, who shall be qualified to vote for senators and representatives, within the several towns of this commonwealth, shall, at a meeting, to be called for that purpose, on the first Monday of April annually, give in their vote for a governor, to the selectmen, who shall preside at such meetings, and the town clerk, in the presence and with the assistance of the selectmen, shall, in a

town meeting, sort and count the votes, and form a list of the persons voted for, with the number of votes for each person, against his name; and shall make a fair record of the same in the town books, and a public declaration thereof in the said meeting; and shall, in the presence of the inhabitants, seal up copies of the said list, attested by him and the selectmen, and transmit the same to the sheriff of the county, thirty days at least before the last Wednesday in May; and the sheriff shall transmit the same to the secretary's office, seventeen days at least before the said last Wednesday in May; or the selectmen may cause returns of the same to be made to the office of the secretary of the commonwealth, seventeen days at least before the said day; and the secretary shall lay the same before the senate, and the house of representatives, on the last Wednesday in May, to be by them examined: And in case of an election, by a majority of all the votes returned, the choice shall be by them declared and published. But if no person shall have a majority of votes, the house of representatives shall, by ballot, elect two out of four persons, who had the highest number of votes, if so many shall have been voted for; but if otherwise, out of the number voted for; and make return to the senate, of the two persons so elected; on which the senate shall proceed, by ballot, to elect one, who shall be declared governor.

IV. The governor shall have authority, from time to time, at his discretion, to assemble and call together the counsellors of this commonwealth for the time being; and the governor, with the said counsellors, or five of them at least, shall, and may, from time to time, hold and keep a council, for the ordering and directing the affairs of the commonwealth, agreeably to the constitution, and the laws of the land.

V. The governor, with advice of council, shall have full power and authority, during the session of the general court, to adjourn or prorogue the same, to any time the two houses shall desire; and to dissolve the same, on the day next preceding the last Wednesday in May; and, in the recess of the said court, to prorogue the same, from time to time, not exceeding ninety days in any one recess; and to call it together sooner than the time to which it may be adjourned or prorogued, if the welfare of the commonwealth shall require the same. And in case of any infectious distemper prevailing in the place, where the said court is next at any time to convene, or any other cause happening, whereby danger may arise to the health or lives of the members from their attendance, he may direct the session to be held at some other the most convenient place within the state.

And the governor shall dissolve the said general court, on the day next preceding the last Wednesday in May.

VI. In cases of disagreement between the two houses, with regard to the necessity, expediency, or time of adjournment, or prorogation, the governor, with advice of the council, shall have a right to adjourn or prorogue the general court, not exceeding ninety days, as he shall determine the public good shall require.

VII. The governor of this commonwealth, for the time being, shall be the commander in chief of the army and navy, and of all the military forces of the state, by sea and land; and shall have full power, by himself, or by any commander, or other officer or officers, from time to time, to train, instruct, exercise and govern the militia and navy; and for the special defence and safety of the commonwealth, to assemble in martial array, and put in warlike posture, the inhabitants thereof; and to lead and conduct them, and with them to encounter, repel, resist, expel, and pursue, by force of arms, as well by sea as by land, within or without the limits of this commonwealth, and also to kill, slay, and destroy, if necessary, and conquer, by all fitting ways, enterprises, and means whatsoever, all and every such person and persons; as shall, at any time hereafter, in a hostile

manner, attempt or enterprise the destruction, invasion, detriment, or annoyance of this commonwealth; and to use and exercise, over the army and navy, and over the militia in actual service, the law-martial, in time of war or invasion, and also in time of rebellion (declared by the legislature to exist) as occasion shall necessarily require; and to take and surprise, by all ways and means whatsoever, all and every such person or persons (with their ships, arms, ammunition, and other goods) as shall, in a hostile manner, invade, or attempt the invading, conquering, or annoying this commonwealth; and that the governor be entrusted with all these and other powers, incident to the offices of captain-general, and commander in chief, and admiral, to be exercised agreeably to the rules and regulations of the constitution, and the laws of the land, and not otherwise.

Provided, that the said governor shall not, at any time hereafter, by virtue of any power, by this constitution granted, or hereafter to be granted to him by the legislature, transport any of the inhabitants of this commonwealth, or oblige them to march out of the limits of the same, without their free and voluntary consent, or the consent of the general court; except so far as may be necessary to march or transport them by land or water, for the defence of such part of the state, to which they cannot otherwise conveniently have access.

VIII. The power of pardoning offences, except such as persons may be convicted of before the senate by an impeachment of the house, shall be in the governor, by and with the advice of council: but no charter of pardon, granted by the governor, with advice of the council, before conviction, shall avail the party pleading the same, notwithstanding any general or particular expressions contained therein, descriptive of the offence or offences intended to be pardoned.

IX. All judicial officers, the attorney general, the solicitor general, all sheriffs, coroners, and registers of probate, shall be nominated and appointed by the governor, by and with the advice and consent of the council; and every such nomination shall be made by the governor, and made at least seven days prior to such appointment.

X. The captains and subalterns of the militia shall be elected by the written votes of the train band and alarm list of their respective companies, of twenty-one years of age and upwards. The field officers of regiments shall be elected by the written votes of the captains and subalterns of their respective regiments. The brigadiers shall be elected in like manner, by the field officers of their respective brigades. And such officers, so elected, shall be commissioned by the governor, who shall determine their rank.

The legislature shall, by standing laws, direct the time and manner of convening the electors, and of collecting votes, and of certifying to the governor the officers elected.

The major generals shall be appointed by the senate and house of representatives, each having a negative upon the other; and be commissioned by the governor.

And if the electors of brigadiers, field officers, captains, or subalterns, shall neglect or refuse to make such elections, after being duly notified, according to the laws for the time being, then the governor, with advice of council, shall appoint suitable persons to fill such offices.

And no officer, duly commissioned to command in the militia, shall be removed from his office, but by the address of both houses to the governor, or by the trial in court martial, pursuant to the laws of the commonwealth for the time being.

The commanding officers of regiments shall appoint their adjutants and quartermasters, the brigadiers their brigade majors; and the major generals their aids; and the governor shall appoint the adjutant general.

The governor, with advice of council, shall appoint all officers of the

continental army, whom (by the confederation of the united states) it is provided that this commonwealth shall appoint, as also all officers of forts and garrisons.

The divisions of the militia, into brigades, regiments and companies, made in pursuance of the militia laws now in force, shall be considered as the proper divisions of the militia of this commonwealth, until the same shall be altered in pursuance of some future law.

XI. No monies shall be issued out of the treasury of this commonwealth, and disposed of (except such sums, as may be appropriated for the redemption of bills of credit or treasurer's notes, or for the payment of interests arising thereon) but by warrant, under the hand of the governor for the time being, with the advice and consent of the council, for the necessary defence and support of the commonwealth—and for the protection and preservation of the inhabitants thereof, agreeably to the act and resolves of the general court.

XII. All public boards, the commissary-general, all superintending officers of public magazines and stores, belonging to this commonwealth, and all commanding officers of forts and garrisons within the same, shall, once in every three months, officially, and without requisition, and at other times, when required by the governor, deliver to him an account of all goods, stores, provisions, ammunition, cannon with their appendages, and small arms with their accoutrements, and of all other public property whatever under their care respectively; distinguishing the quantity, number, quality and kind of each, as particularly as may be; together with the condition of such forts and garrisons. And the said commanding officer shall exhibit to the governor, when required by him, true and exact plans of such forts, and of the land and sea, or harbour or harbours adjacent.

And the said boards, and all public officers, shall communicate to the governor, as soon as may be, after receiving the same, all letters, dispatches, and intelligence of a public nature, which shall be directed to them respectively.

XIII. As the public good requires, that the governor should not be under the undue influence of any of the members of the general court—by a dependence on them for his support—that he should, in all cases, act with freedom for the benefit of the public—that he should not have his attention necessarily diverted from that object, to his private concerns—and that he should maintain the dignity of the commonwealth, in the character of its chief magistrate—it is necessary that he should have an honourable stated salary, of a fixed and permanent value, amply sufficient for those purposes, and established by standing laws: and it shall be among the first acts of the general court, after the commencement of this constitution, to establish such salary by law accordingly.

Permanent and honourable salaries shall also be established by law, for the justices of the supreme judicial court.

And if it shall be found, that any of the salaries aforesaid, so established, are insufficient, they shall, from time to time, be enlarged, as the general court shall judge proper.

CHAP. II.

SECT. II. LIEUTENANT-GOVERNOR.

ART. I. THERE shall be annually elected a lieutenant governor of the commonwealth of Massachusetts, whose title shall be, his honour; and who shall be qualified, in point of religion, property, and residence in the commonwealth, in the same manner with the governor: and the day and manner of his election, and the qualifications of the electors, shall be the same as are required in the election of a governor. The return of the votes for this officer, and the declaration of his election shall be in the same manner: And if no one person shall be found to have a majority of all the votes returned, the vacancy shall be filled by the se-

nate and house of representatives, in the same manner as the governor is to be elected in case no one person shall have a majority of the votes of the people to be governor.

II. The governor, and, in his absence, the lieutenant-governor, shall be the president of the council; but shall have no vote in council: and the lieutenant-governor shall always be a member of the council, except when the chair of the governor shall be vacant.

III. Whenever the chair of the governor shall be vacant, by reason of his death, or absence from the commonwealth, or otherwise, the lieutenant-governor for the time being, shall, during such vacancy, perform all the duties incumbent upon the governor, and shall have and exercise all the powers and authorities, which, by this constitution, the governor is vested with, when personally present.

CHAP. II.

SECT. III. *Council, and the manner of settling elections by the legislature.*

ART. I. THERE shall be a council, for advising the governor in the executive part of government, to consist of nine persons, besides the lieutenant-governor, whom the governor for the time being, shall have full power and authority, from time to time, at his discretion, to assemble and call together. And the governor, with the said counsellors, or five of them at least, shall and may, from time to time, hold and keep a council, for the ordering and directing the affairs of the commonwealth, according to the laws of the land.

II. Nine counsellors shall be annually chosen, from among the persons returned for counsellors and senators, on the last Wednesday in May, by the joint ballot of the senators and representatives assembled in one room. And in case there shall not be found, upon the first choice, the whole number of nine persons, who will accept a seat in the council, the deficiency shall be made up by the electors aforesaid, from among the people at large; and the number of senators left, shall constitute the senate for the year. The seats of the persons, thus elected from the senate, and accepting the trust, shall be vacated in the senate.

III. The counsellors, in the civil arrangements of the commonwealth, shall have rank, next after the lieutenant-governor.

IV. Not more than two counsellors shall be chosen out of any one district of this commonwealth.

V. The resolutions and advice of the council shall be recorded in a register, and signed by the members present; and this record may be called for, at any time, by either house of the legislature; and any member of the council may insert his opinion, contrary to the resolution of the majority.

VI. Whenever the office of the governor and lieutenant-governor shall be vacant, by reason of death, absence, or otherwise, then the council, or the major part of them, shall, during such vacancy, have full power and authority, to do, and execute, all and every such acts, matters, and things, as the governor or lieutenant-governor might or could, by virtue of this constitution, do or execute, if they or either of them, were personally present.

VII. And whereas the elections, appointed to be made by this constitution, on the last Wednesday in May annually, by the two houses of the legislature, may not be completed on that day, the said elections may be adjourned, from day to day, until the same shall be completed. And the order of elections shall be as follows: the vacancies in the senate, if any, shall first be filled up; the governor and lieutenant-governor shall then be elected, provided there shall be no choice of them by the people: and afterwards the two houses shall proceed to the election of the council.

CHAP. II.

SECT. IV. *Secretary, treasurer, commissary, &c.*

ART. I. THE secretary, treasurer, and receiver general, and the commissary

ry general, notaries public, and naval officers, shall be chosen annually, by joint ballot of the senators and representatives in one room. And that the citizens of this commonwealth may be assured, from time to time, that the monies remaining in the public treasury, upon the settlement and liquidation of the public accounts, are their property, no man shall be eligible, as treasurer and receiver general, more than five years successively.

II. The records of the commonwealth shall be kept in the office of the secretary, who may appoint his deputies, for whose conduct he shall be accountable; and he shall attend the governor and council, the senate and house of representatives, in person, or by his deputies, as they shall respectively require.

CHAPTER III.

JUDICIARY POWER.

ART. I. THE tenure, that all commission officers shall by law have in their offices shall be expressed in their respective commissions. All judicial officers, duly appointed, commissioned and sworn, shall hold their offices during good behaviour, excepting such, concerning whom there is different provision made in this constitution; provided, nevertheless, the governor, with consent of the council, may remove them upon the address of both houses of the legislature.

II. Each branch of the legislature, as well as the governor and council, shall have authority, to require the opinions of the justices of the supreme judicial court, upon important questions of law, and upon solemn occasions.

III. In order that the people may not suffer from the long continuance in place, of any justice of the peace, who shall fail of discharging the important duties of his office with ability or fidelity, all commissions of justices of the peace shall expire and become void, in the term of seven years from their respective dates: and upon the expiration of any commission, the same may, if necessary, be renewed, or another person appointed, as shall most conduce to the well-being of the commonwealth.

IV. The judges of probate of wills, and for granting letters of administration, shall hold their courts at such place or places, on fixed days, as the convenience of the people shall require. And the legislature shall, from time to time, hereafter appoint such times and places; until which appointments, the said courts shall be holden at the times and places, which the respective judges shall direct.

V. All causes of marriage, divorce, and alimony, and all appeals from the judges of probate, shall be heard and determined by the governor and council, until the legislature, shall, by law, make other provision.

CHAPTER IV.

DELEGATES to CONGRESS.

THE delegates of this commonwealth to the congress of the united states, shall, sometime in the month of June annually, be elected by the joint ballot of the senate and house of representatives, assembled together in one room; to serve in congress for one year, to commence on the first Monday in November then next ensuing. They shall have commissions, under the hand of the governor, and the great seal of the commonwealth; but may be recalled at any time within the year, and others chosen and commissioned in the same manner, in their stead.

CHAPTER V.

The university at Cambridge, and encouragement of literature, &c.

SECTION I. *The UNIVERSITY.*

ART. I. WHEREAS our wise and pious ancestors, so early as the year one thousand six hundred and thirty-six, laid the foundation of Harvard college; in which university many persons of great eminence, have, by the blessing of God, been initiated in those arts and sciences, which qualified them for public em-

ployments, both in church and state : and whereas the encouragement of arts and sciences, and all good literature, tends to the honour of God, the advantage of the christian religion, and the great benefit of this and the other united states of America. It is declared, that the president and fellows of Harvard college, in their corporate capacity, and their successors in that capacity, their officers and servants, shall have, hold, use, exercise, and enjoy all the powers, authorities, rights, liberties, privileges, immunities and franchises, which they now have, or are entitled to have, hold, use, exercise and enjoy : and the same are hereby ratified and confirmed unto them, the said president and fellows of Harvard college, and to their successors, and to their officers and servants, respectively, forever.

II. And whereas there have been, at sundry times, by divers persons, gifts, grants, devises of houses, lands, tenements, goods, chattles, legacies, and conveyances, heretofore made, either to Harvard college, in Cambridge, in New England, or to the president and fellows of Harvard college, or to the said college, by some other description, under several charters successively—it is declared, that all the said gifts, grants, devises, legacies, and conveyances, are hereby forever confirmed unto the president and fellows of Harvard college, and to their successors in the capacity aforesaid, according to the true intent and meaning of the donor or donors, grantor or grantors, deviser or devisors.

III. And whereas, by an act of the general court of the colony of Massachusetts-bay, passed in the year one thousand six hundred and forty-two, the governor and deputy governor, for the time being, and all the magistrates of that jurisdiction, were, with the president, and a number of the clergy in the said act described, constituted the overseers of Harvard-college—And it being necessary, in this new constitution of government, to ascertain, who shall be deemed successors to the said governor, deputy-governor, and magistrates—it is declared, that the governor, lieutenant governor, council, and senate of this commonwealth, are, and shall be deemed their successors ; who, with the president of Harvard-college, for the time being, together with the ministers of the congregational churches, in the towns of Cambridge, Watertown, Charlestown, Boston, Roxbury, and Dorchester, mentioned in the said act, shall be, and hereby are, vested with all the powers and authority belonging, or in any way appertaining, to the overseers of Harvard college ;—provided, that nothing herein shall be construed to prevent the legislature of this commonwealth, from making such alterations in the government of the said university, as shall be conducive to its advantage, and the interest of the republic of letters, in as full a manner, as might have been done by the legislature of the late province of the Massachusetts-bay.

CHAP. V. SECT. II. *The encouragement of literature.*

WISDOM and knowledge, as well as virtue, diffused generally among the body of the people, being necessary for the preservation of their rights and liberties ; and as these depend on spreading the opportunities and advantages of education, in the various parts of the country, and among the different orders of the people, it shall be the duty of the legislatures and magistrates, in all future periods of this commonwealth, to cherish the interests of literature and the sciences, and all seminaries of them ; especially the university at Cambridge, public schools and grammar schools in the towns ; to encourage private societies and public institutions, rewards and immunities, for the promotion of agriculture, arts, sciences, commerce, trades, manufactures, and a natural history of the country ; to countenance and inculcate the principles of humanity and general benevolence, public and private charity, industry, and frugality, honesty and punctuality in their dealings ; sincerity, good humour, and all social affections, and generous sentiments among the people.

CHAPTER VI.

Oaths and subscriptions; incompatibility of and exclusion from offices; pecuniary qualifications; commissions; writs; confirmation of laws; habeas corpus; the enacting file; continuance of officers; provision for a future revival of the constitution, &c.

ART. I. Any person, chosen governor, or lieutenant governor, counsellor, senator, or representative, and accepting the trust, shall, before he proceed to execute the duties of his place or office, take, make and subscribe the following declaration, viz.—

“I, A. B. do declare, that I believe the christian religion, and have a firm persuasion of its truth; and that I am seized and possessed, in my own right, of the property, required by the constitution, as one qualification for the office or place, to which I am elected.”

And the governor, lieutenant governor, and counsellors, shall make and subscribe the said declaration, in the presence of the two houses of assembly; and the senators and representatives first elected under this constitution, before the president and five of the council of the former constitution; and, forever afterwards, before the governor and council for the time being.

And every person, chosen to either of the places or offices aforesaid, as also any person, appointed or commissioned to any judicial, executive, military, or other office under the government, shall, before he enters on the discharge of the business of his place or office, take and subscribe the following declaration, and oaths or affirmations, viz.—

“I, A. B. do truly and sincerely acknowledge, profess, testify, and declare, that the commonwealth of Massachusetts is, and of right ought to be, a free, sovereign and independent state; and I do swear, that I will bear true faith and allegiance to the said commonwealth, and that I will defend the same, against traitorous conspiracies, and all hostile attempts whatsoever:—and that I do renounce and abjure all allegiance, subjection, and obedience, to the king, *queen or government* of Great Britain, *as the case may be*, and every other foreign power whatsoever:—And that no foreign prince, person, prelate, state or potentate, hath, or ought to have, any jurisdiction, superiority, pre-eminence, authority, dispensing, or other power, in any matter, civil, ecclesiastical, or spiritual, within this commonwealth; except the authority and power, which is or may be vested, by their constituents, in the congress of the united states: and I do further testify and declare, that no man or body of men, hath or can have any right to absolve or discharge me from the obligation of this oath, declaration or affirmation; and that I do make this acknowledgment, profession, testimony, declaration, denial, renunciation and abjuration, heartily and truly, according to the common meaning and acceptance of the foregoing words, without any equivocation, mental evasion, or secret reservation whatsoever. So help me God.”

“I, A. B. do solemnly swear and affirm, that I will faithfully and impartially discharge and perform all the duties, incumbent on me as _____, according to the best of my abilities and understanding, agreeably to the rules and regulations of the constitution, and the laws of this commonwealth. So help me God.”

Provided always, that when any person chosen or appointed as aforesaid, shall be of the denomination of the people called quakers, and shall decline taking the said oaths, he shall make his affirmation in the foregoing form, and subscribe the same, omitting the words, “*I do swear*,” “*and abjure*,” “*oath*,” “*and abjuration*,” in the first oath; and in the second oath, the words, “*swear and*,” and in each of them the words, “*So help my God*,” substituting instead thereof, “*This I do under the pains and penalties of perjury*.”

And the said oaths or affirmations shall be taken and subscribed, by the gover-

vernor, lieutenant governor, and counsellors, before the president of the senate, in the presence of the two houses of assembly; and by the senators and representatives first elected under this constitution, before the president, and five of the council, of the former constitution; and, forever afterwards, before the governor and council for the time being: and by the residue of the officers aforesaid, before such persons and in such manner, as from time to time shall be prescribed by the legislature.

II. No governor, lieutenant governor or judge of the supreme judicial court, shall hold any other office, or place, under the authority of this commonwealth, except such as by this constitution they are admitted to hold, saving that the judges of the said court may hold the offices of justices of the peace through the state; nor shall they hold any other place or office, or receive any pension or salary, from any other state, or government, or power, whatever.

No person shall be capable of holding or exercising, at the same time, more than one of the following offices within this state, *viz.* judge of probate, sheriff, register of probate, or register of deeds: and never more than any two offices, which are to be held by appointment of the governor, or the governor and council, or the senate, or the house of representatives, or by the election of the people of the state at large, or of the people of any county, (military offices, and the office of justice of the peace excepted) shall be held by one person.

No person, holding the office of judge of the supreme judicial court, secretary, attorney-general, solicitor general, treasurer or receiver-general, judge of probate, commissary-general; president, professor, or instructor of Harvard college; sheriff, clerk of the house of representatives, register of probate, register of deeds, clerk of the supreme judicial court, clerk of the inferior court of common pleas, or officer of the customs, (including in this description naval officers) shall at the same time have a seat in the senate or house of representatives; but their being chosen or appointed to, and accepting the same, shall operate as a resignation of their seat in the senate or house of representatives; and the place so vacated shall be filled up.

And the same rule shall take place, in case any judge, of the said supreme judicial court, or judge of probate, shall accept a seat in council; or any counsellor shall accept of either of those offices or places.

And no person shall ever be admitted to hold a seat in the legislature, or any office of trust or importance under the government of this commonwealth, who shall, in the due course of law, have been convicted of bribery, or corruption, in obtaining an election or appointment.

III. In all cases, where sums of money are mentioned in this constitution, the value thereof shall be computed in silver, at six shillings and eight-pence per ounce; and it shall be in the power of the legislature, from time to time, to increase such qualifications, as to property, of the persons to be elected into offices, as the circumstances of the commonwealth shall require.

IV. All commissions shall be in the name of the commonwealth of Massachusetts, signed by the governor, and attested by the secretary or his deputy, and have the great seal of the commonwealth affixed thereto.

V. All writs, issuing out of the clerk's office, in any of the courts of law, shall be in the name of the commonwealth of Massachusetts: they shall be under the seal of the court from whence they issue: they shall bear test of the first justice of the court, to which they shall be returnable, (who is not a party) and be signed by the clerk of such court.

VI. All the laws, which have heretofore been adopted, used and approved in the province, colony, or state of Massachusetts-bay, and usually practised on in the courts of law, shall still remain and be in full force, until altered or repealed

by the legislature: such parts only excepted, as are repugnant to the rights and liberties contained in this constitution.

VII. The privilege and benefit of the writ of habeas corpus shall be enjoyed in this commonwealth, in the most free, easy, cheap, expeditious and ample manner; and shall not be suspended by the legislature, except upon the most urgent and pressing occasions, and for a limited time, not exceeding twelve months.

VIII. The enacting file, in making and passing all acts, statutes, and laws, shall be, "Be it enacted by the senate and house of representatives, in general court assembled, and by the authority of the same."

IX. To the end there may be no failure of justice, or danger arise to the commonwealth, from a change of the form of government,—all officers, civil and military, holding commissions under the government and people of Massachusetts Bay in New England, and all other officers of the said government and people, at the time this constitution shall take effect, shall have, hold, use, exercise, and enjoy, all the powers and authority to them granted or committed, until other persons shall be appointed in their stead: and all courts of law shall proceed in the execution of the business of their respective departments; and all the executive and legislative officers, bodies, and powers shall continue in full force in the enjoyment and exercise of all their trusts, employments, and authority; until the general court, and the supreme and executive officers, under this constitution, are designated and invested with their respective trusts, powers, and authority.

X. In order the more effectually to adhere to the principles of the constitution, and to correct those violations which by any means may be made therein, as well as to form such alterations as from experience may be found necessary, the general court, which shall be in the year of our Lord one thousand seven hundred and ninety five, shall issue precepts to the selectmen of the several towns and to the assessors of the unincorporated plantations, directing them to convene the qualified voters of their respective towns and plantations, for the purpose of collecting their sentiments, on the necessity or expediency of revising the constitution in order to amendments.

And if it shall appear, by the returns made, that two thirds of the qualified voters throughout the state, who shall assemble and vote in consequence of the said precepts, are in favour of such revision or amendment, the general court shall issue precepts, or direct them to be issued from the secretary's office, to the several towns, to elect delegates to meet in convention, for the purpose aforesaid.

The said delegates to be chosen in the same manner and proportion, as their representatives, in the second branch of the legislature, are by this constitution to be chosen.

XI. This form of government shall be enrolled on parchment, and deposited in the secretary's office, and be a part of the laws of the land; and printed copies thereof shall be prefixed to the book containing the laws of this commonwealth, in all future editions of the said laws.

JAMES BOWDOIN, *President.*

SAMUEL BARRETT, *Secretary.*



A P P E N D I X III.
P R O C E E D I N G S O F C O N G R E S S .

Thursday, March 11, 1790.

IN committee of the whole, on the report of the secretary of the treasury, for making provision for the support of the public credit.

The following proposition was read, viz. To have the whole sum funded at an annuity, or yearly interest, of four per cent. irredeemable by any payment exceeding five dollars per annum, on account both of principal and interest; and to receive, as a compensation for the reduction of interest, fifteen dollars and eighty cents, payable in lands.

The debate this day turned principally on the irredeemability proposed in this alternative.

After a lengthy discussion the proposition was negatived.

The next proposition was then read, and further debate ensued. The committee rose without coming to a decision on a motion made by mr. Jackson to strike out what relates to irredeemability in this alternative.

Friday, March 12.

In committee of the whole on the report of the secretary of the treasury, for making provision for the support of the public credit.

The blank in the third proposition of the sixth resolve of the report of the secretary of the treasury, for the support of public credit, was passed over by consent.

The seventh and eighth resolutions were agreed to, viz.

Resolved, That immediate provision ought to be made for the present debt of the united states; and that the faith of government ought to be pledged to make provision, at the next session, for so much of the debts of the respective states, as shall have been subscribed upon any of the terms expressed in the last resolutions.

Resolved, That the funds, which shall be appropriated, according to the second of the foregoing resolutions, be applied, in the first place, to the payment of interest on the sums subscribed towards the proposed loan; and that if any part of the said domestic debt shall remain unsubscribed, the surplus of the said funds be applied, by a temporary appropriation, to the payment of interest on the unsubscribed part, so as not to exceed, for the present, four per cent. per annum: but this limitation shall not be understood to impair the right of the non-subscribing creditors to the residue of the interest on their respective debts: and in case the aforesaid surplus should prove insufficient to pay the non-subscribing creditors, at the aforesaid rate of four per cent. that the faith of government be pledged to make good such deficiency.

Monday, March 15.

On motion of mr. Jackson, to take up the bill respecting the south-western frontiers, the doors of the galleries were shut.

Tuesday, March 16.

Mr. Boudinot moved for the order of the day, on the report of the committee to whom had been referred the memorials of the people called quakers.

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The motion was opposed: it was said that the order of the day on the report of the secretary of the treasury claimed a preference in the attention of the house; after considerable debate, the question was taken, and passed in the affirmative. The report was then read.

Mr. Tucker, after premising several observations on the injustice and unconstitutionality of the interference of the legislature in the business, proposed an amendment, which should negative the whole report.

Mr. Jackson spoke largely on the subject, and in opposition to the report.

Mr. Vining replied to Mr. Jackson.

A question then arose on the subject of order. The chairman gave his opinion that the amendment, offered by Mr. Tucker, was not in order. This question was discussed with considerable ardour on both sides. The question being put, the committee determined that the amendment was not in order.

Mr. Tucker then proposed to add the amendment immediately after the preamble of the report, after the word, "opinion." The question of order was still agitated on this variation, and the committee rose without a decision.

Thursday, March 18.

The report of the committee, on the memorials respecting the slave trade, being the order of the day,

Mr. Benson, after premising that any further discussion of the subject, in the line it was now in, would be a useless expense of time—moved, that the committee of the whole should be discharged from any further attention to the report—and that the memorials should be again referred to a select committee. He offered a variety of reasons, on which he founded this motion. This was seconded by Mr. Baldwin, who at the same time entered into a lengthy discussion of the subject.

The question being taken, Mr. Benson's motion was lost—the house then went into a committee of the whole on the report. The debate was continued with ardour, and the speakers on both sides were numerous. Several alterations in the report were agreed to; but the committee rose without finishing the business, and the house adjourned.

Friday, March 19.

In committee of the whole, the report of the committee on the slave trade under consideration. The fourth proposition respecting a duty of ten dollars on slaves imported, being read, it was moved that it be struck out; which motion, after much debate, was adopted. Several modifications of the fifth proposition were offered: but the following in substance, offered by Mr. Madison, was agreed to, viz. Congress have authority to restrain the citizens of the united states, who are concerned in the African trade, from supplying foreigners with slaves; and to provide for their humane treatment, while on their passage to the united states.

The committee then rose, and the house adjourned till Monday next.

Monday, March 22.

In committee of the whole; the report of the select committee on the memorials on the slave trade under consideration. The sixth article was further discussed.

Mr. Scott commenced the debate this day in advocating the prayer of the memorialists. He was replied to by several of the southern gentlemen. It was moved that the clause should be struck out; this motion being put, it passed in the negative.

The committee then agreed to the proposition.

The seventh article was struck out of the report.

The committee then rose: and the report, as amended and agreed to, was laid on the table.

Tuesday, March 23.

It was moved, that the house should take up the report of the committee of the whole, on the memorials of the people called quakers. This motion was

opposed by mr. Jackson, mr. Smith, mr. Burke, and mr. Bland. They severally observed, that the discussion of the subject had already excited a spirit of dissension among the members of the house; and that every principle of policy and concern for the dignity of the house, and the peace and tranquility of the united states, concurred to shew the propriety of dropping the subject, and letting it sleep where it was. On the other hand, mr. Vining, mr. Hartley, and mr. Page observed, that there was the same propriety in taking up the subject at the present moment, and bringing it to a conclusion, as there had been for first taking it up—that it had been so fully discussed, that it could not be supposed gentlemen would go over the same ground again; it might soon be determined—to pass it over would be unprecedented, and would leave the public mind in the same state of uncertainty, from which so much danger was apprehended.

The motion for taking up the report was warmly contested in a lengthy debate, and finally passed in the affirmative, by a majority of one. This was followed by a motion for entering the report of the select committee, and the report of the committee of the whole, on the journals of the house. This motion called up the speakers from all sides of the house, and was at last determined by ayes and nays, as follow—ayes 29, nays 25.

Thursday, March 25.

A motion was made that the house should go into a committee of the whole on the bill respecting the south-western frontiers. Some objection was made to the immediate adoption of the motion, as interesting and important intelligence was daily expected from governor St. Clair.

The motion being put, was carried in the affirmative; and the galleries thereupon shut.

Friday, March 26.

Mr. Livermore presented a petition from the inhabitants of Portsmouth (N. H.) respecting certain duties on tonnage.

Monday, March 29.

The chairman from a committee of the whole on the report of the secretary of the treasury, relative to a provision for the support of public credit, reported.

The house then agreed to the first, second, and third resolutions, reported by the committee; but a debate took place on the fourth, viz. “for assuming the state debts”—and mr. Carrol moved to re-commit the said resolution to a committee of the whole house; which motion was contested for a considerable time, and at length carried in the affirmative, 29 appearing for the motion, and 27 against it.

Tuesday, March 30.

The order of the day being called for, the speaker read the fifth resolution of the committee of the whole house, on the report of the secretary of the treasury.

Mr. Gerry moved, that all the propositions, subsequent to that for assuming the state debts, should be recommitted to a committee of the whole—he observed that these are so inseparably connected with the foregoing, that those, who consider the assumption as an object of importance, have associated the subsequent propositions with it, and cannot consistently vote for the latter, but in reference to the former.

This motion passed in the affirmative—

The house then went into a committee of the whole—mr. Livermore in the chair.

The proposition for the assumption of the state debts being read, the debate on the subject was renewed, and continued until near three o'clock, when the committee rose, without coming to a decision.

Wednesday, March 31.

Mr. Sedgwick, of the committee to whom had been recommitted the bill to regulate

the intercourse between the united states and foreign nations, brought in a new bill, which was read the first time.

Thursday, April 1.

In committee of the whole. The proposition for the assumption of the state debts was debated this day, till after three o'clock, when the committee rose without taking any vote on the question.

Saturday, April 3.

Mr. Vining moved for leave to bring in a bill for amending the act for establishing the executive department of the secretary of state, so far as to enable the secretary to keep the foreign and domestic branches of business distinct, and to appoint a chief clerk to each, &c.

This motion introduced a desultory conversation. Some amendments were offered, and debated; but it was finally negatived.

Tuesday, April 6.

In committee of the whole house on the act for the punishment of certain crimes against the united states. The motion for striking out the clause respecting the bodies of murderers being delivered to surgeons after execution, for dissection, was debated; a number of gentlemen spoke on each side of the question; the affirmative was supported by mr. Page, mr. Heister, mr. Jackson, mr. Stone, mr. Tucker and mr. Clymer—the negative by mr. Huntington, mr. Madison, mr. Smith, (S. C.) mr. Sedgwick, mr. Williamson, and mr. Ames: and the question being put, the motion was negatived, and the clause retained.

Wednesday, April 7.

In committee of the whole, on the bill providing for the punishment of certain crimes against the united states. Mr. Livermore in the chair.

Several sections of the bill were discussed.

The clause, which enacts, that persons convicted of counterfeiting the securities of the united states, or uttering counterfeits knowingly, shall be punished with death, by being hanged, it was moved, should be amended, by striking out the words, "punished with death by being hanged," to admit a less punishment for uttering or passing, than for counterfeiting. The degrees of criminality in the two cases, were accurately defined by mr. Sherman.

Mr. Sedgwick observed, that he thought the degrees of punishment ought to be proportioned to the malignity of the offences. He enlarged on the pernicious consequences of counterfeiting. He considered it as a crime against the most important interests of society, and of a peculiarly malignant tendency, in the present and probable situation of the united states. Persons addicted to forgery, were seldom, if ever, reclaimed: the security of society, therefore, appeared to depend on a capital punishment. The idea was strengthened, by reflecting on the mischief and ruin which had already ensued from forgery.

Mr. Fitzsimons was opposed to the motion—he adverted to the practice and experience of Great Britain—the injuries and fatal consequences to credit which result from forgery, were considered in England, in so serious a point of light, that the bank paid notes which they knew to be counterfeit. Hence the inexorable rigour of the laws of that country in cases of forgery. He could not see so clearly, as some gentlemen appeared to do, the difference between forging, and simply uttering what is known to be counterfeit. The mischief was not completed till the forgery was uttered.

He enlarged on the idea of guarding public paper by every possible expedient.

The vote being taken on the motion, it was negatived, and the clause retained.

Friday, April 9.

Mr. Goodhue presented a memorial from the merchants and traders of the district of Newbury-port, respecting the duties on tonnage, which was read and referred to the secretary of the treasury. Also a petition from the proprietors of the cotton manufactory at Beverly, praying a reduction of the impost on cotton; which

was referred to a committee of five members, viz. mr. Goodhue, mr. Wadsworth, mr. Sylvester, mr. Clymer, and mr. Gale.

Saturday, April 10.

The bill, entitled "an act for the punishment of certain crimes against the united states," was read the third time, and agreed to by the house.

Monday, April 12.

The house proceeded to re-consider the amendment, proposed by the senate, to the bill, entitled, "An act to provide for the remission or mitigation of fines, forfeitures, and penalties, in certain cases:" whereupon,

Resolved, that this house doth adhere to their disagreement to the said amendment.

Tuesday, April 13.

Made some progress in the post office bill.

Mr. Vining, from the committee appointed, presented, according to order, a bill supplemental to the act for establishing the salaries of the executive officers of government.

Wednesday, April 14.

A member from Massachusetts presented to the house, a representation from the legislature of that state to congress, relative to the present state of the whale and cod-fisheries, together with sundry petitions accompanying the same, which were read, and ordered to lie on the table.

Made some progress in the post office bill.

Thursday, April 15.

Ordered that it be an instruction to the secretary of the treasury, that he prepare and report to this house a proper plan or plans for the establishment of a national mint.

Made some progress in the consideration of the report of the secretary of the treasury, relative to a provision for the support of public credit.

Friday, April 16.

A petition from the manufacturers of mustard in the city of Philadelphia, was presented to the house and read, praying the patronage of congress to that manufacture, and that an additional duty may be imposed on imported mustard: also,

A petition from the manufacturers of tobacco and snuff in the town of Baltimore, praying the attention of congress to the encouragement of the said manufacture, and that no duties may be imposed on manufactured snuff and tobacco exported.

Monday, April 19.

The house proceeded to reconsider the amendments, disagreed to by the senate, to the bill entitled, "an act for the punishment of certain crimes against the united states:" whereupon,

Resolved, that this house recede from their amendments, disagreed to by the senate, to the nineteenth, twentieth, and twenty-sixth sections; and do agree to the amendment proposed by the senate, to their amendment to the twenty-eighth section of the said bill.

Tuesday, April 20.

Appointed a committee to enquire what further measures are necessary for making an effectual and speedy settlement of the accounts of the several states.

Wednesday, April 21.

Made some progress in the consideration of the report of the secretary of the treasury, relative to a provision for the support of public credit.

Received a message from the senate that they had passed the bill, entitled, "an act for the regulating the military establishment of the united states," with sundry amendments.

Tuesday, April 22.

Resolved, that this house wear the customary badge of mourning for dr. Franklin, for one month.

The house proceeded to consider the amendments proposed by the senate to the bill, entitled "An act for regulating the military establishments of the united states:" whereupon,

Resolved, that this house do agree to all the said amendments, with an amendment to the eighth amendment to the fifth section of the said bill—as follows: In lieu of the word "eighteen," proposed to be inserted by the senate, insert "twenty-four."

Friday, April 23.

Received a message from the senate, informing that they had agreed to the amendment of the house, to the fifth section of the above bill.

Ordered, that the secretary of the department of war be directed to lay before the house an account of the troops, (including the militia) and also of the ordnance stores, furnished by the several states towards the support of the late war; and that the commissioners for settling the accounts of the united states, with the respective states, be directed to lay before the house an abstract of the claims of the several states, against the united states, specifying the principles on which the claims are founded.

Ordered, that the secretary of the treasury be directed to report the sums of money, including indents and paper money of every kind, reduced to specie value, which have been received from, or paid to, the several states, by congress, from the commencement of the revolution to the present period.

Ordered, that the commissioners for settling accounts between the united states and individual states, report the amount of such claims of the states, as have been offered to them, since the time expired for receiving claims, specifying the principles on which the claims are founded, and distinguishing them from other claims.

Monday, April 26.

Ordered, that the committee of the whole house on the state of the union, be discharged from further proceeding on the plan of the secretary at war for the general arrangement of the militia of the united states, and that the said plan be referred to the committee appointed to prepare and bring in a bill or bills providing for the national defence.

The house, according to the order of the day, resolved itself into a committee of the whole house on the report of the secretary of the treasury, relative to a provision for the support of the public credit.

The speaker left the chair, and mr. Livermore took the chair of the committee.

After considerable discussion, the speaker resumed the chair, and mr. Livermore reported, that the committee had, according to order, again had the said report under consideration, and come to several resolutions thereupon, which he delivered in at the clerk's table, where the same were severally twice read, and agreed to by the house, as follow:

Resolved, that it is advisable to endeavour to effect a new modification of the domestic debt, with the voluntary consent of the creditors, by a loan, upon terms mutually beneficial to them, and to the united states.

Resolved, that for the purpose expressed in the last preceding resolution, subscriptions towards a loan ought to be opened, to the amount of the said domestic debt, upon the terms following, viz.

That for every hundred dollars subscribed, payable in the said debt, (as well interest as principal) the subscriber be entitled, at his option, either to have two-thirds funded at an annuity or yearly interest, of six per cent. redeemable at the pleasure of the government, by payment of the principal, and to receive

the other third in lands in the western territory, at the rate of twenty cents per acre. Or,

To have the whole sum funded at an annuity or yearly interest, of four per cent. irredeemable by any payment, exceeding six dollars per annum on account both of principal and interest; and to receive, as a compensation for the reduction of interest, fifteen dollars and eighty cents, payable in lands as in the preceding case. Or,

To have sixty-six dollars and two-thirds of a dollar, funded immediately, at an annuity or yearly interest of six per cent. irredeemable, by any payment, exceeding six dollars per annum, on account both of principal and interest; and to have, at the end of seven years, thirty-three dollars and one-third of a dollar, funded at the like interest and rate of redemption.

Resolved, that immediate provision ought to be made for the present debt of the united states.

Resolved, that the funds, which shall be appropriated, according to the second of the foregoing resolutions, be applied in the first place, to the payment of interest on the sums subscribed towards the proposed loan; and that if any part of the said domestic debt shall remain unsubscribed, the surplus of the said funds be applied, by a temporary appropriation, to the payment of interest on the unsubscribed part, so as not to exceed, for the present, four per cent. per annum: but this limitation shall not be understood to impair the right of the non-subscribing creditors, to the residue of the interest on their respective debts. And in case the aforesaid surplus should prove insufficient to pay the non-subscribing creditors, at the aforesaid rate of four per cent. that the faith of government be pledged to make good the deficiency.

Tuesday, April 27.

The house, according to the order of the day, again resolved itself into a committee of the whole house, on the report of the secretary of the treasury, relative to a provision for the support of the public credit.

Mr. Speaker left the chair.

Mr. Livermore took the chair of the committee.

Mr. Speaker resumed the chair, and Mr. Livermore reported, that the committee had, according to order, again had the said report under consideration, and come to several resolutions thereupon, which he delivered in at the clerk's table, where the same were severally twice read, and agreed to by the house, as follow:

Resolved, That from and after the _____ day of _____ next, in lieu of the duties now payable upon wines and distilled spirits imported into the united states, there shall be paid the following rates:

Upon every gallon of Madeira wine, called London particular, thirty-five cents:

Upon every gallon of other Madeira wine, thirty cents:

Upon every gallon of sherry wine, twenty-five cents:

Upon every gallon of other wine, twenty cents:

Upon every gallon of distilled spirits, more than ten per cent. below proof, according to Dicus's hydrometer, twenty cents:

Upon every gallon of those spirits, under five, and not more than ten per cent. below proof, according to the same hydrometer, twenty-one cents:

Upon every gallon of those spirits, of proof, and not more than five per cent. below proof, according to the same hydrometer, twenty-two cents:

Upon every gallon of those spirits, above proof, but not exceeding twenty per cent. according to the same hydrometer, twenty-five cents:

Upon every gallon of those spirits, more than twenty, and not more than forty per cent. above proof, according to the same hydrometer, thirty cents.

Upon every gallon of those spirits, more than forty per cent. above proof, according to the same hydrometer, forty cents :

Resolved, that from and after the day of in lieu of the duties now payable upon teas and coffee, imported into the united states, there shall be paid,

Upon every pound of hyson tea, forty cents :

Upon every pound of other green tea, twenty-four cents :

Upon every pound of fouchong or other black tea, other than bohea, twenty cents :

Upon every pound of bohea tea, twelve cents :

Upon every pound of coffee, five cents.

Resolved, that from and after the day of there be paid upon spirits distilled within the united states, from melasses, sugar, or other foreign manufacture :

Upon every gallon of those spirits, more than ten per cent. below proof, according to Dicus's hydrometer, eleven cents :

Upon every gallon of those spirits, under five, and not more than ten per cent. below proof, according to the same hydrometer, twelve cents :

Upon every gallon of those spirits, of proof, and not more than five per cent. below proof, according to the same hydrometer, thirteen cents :

Upon every gallon of those spirits, above proof, but not exceeding twenty per cent. according to the same hydrometer, fifteen cents.

Upon every gallon of those spirits, more than twenty, and not more than forty per cent. above proof, according to the same hydrometer, twenty cents.

Upon every gallon of those spirits, more than forty per cent. above proof, according to the same hydrometer, thirty cents.

Resolved, That from and after the day of there be paid upon spirits, distilled within the united states, in any city, town, or village, from materials the growth or production of the united states,

Upon every gallon, more than ten per cent. below proof, according to Dicus's hydrometer, nine cents.

Upon every gallon of those spirits, under five, and not more than ten per cent. below proof, according to the same hydrometer, ten cents :

Upon every gallon of those spirits, of proof, and not more than five per cent. below proof, according to the same hydrometer, eleven cents.

Upon every gallon of those spirits, above proof, but not exceeding twenty per cent. according to the same hydrometer, thirteen cents :

Upon every gallon of those spirits, more than twenty, and not more than forty per cent. above proof, according to the same hydrometer, seventeen cents :

Upon every gallon of those spirits, more than forty per cent. above proof, according to the same hydrometer, twenty-five cents :

And upon all stills, employed in distilling spirits from materials of the growth or production of the united states, in any other place than a city, town or village, there be paid the yearly sum of sixty cents, for every gallon, English wine measure, of the capacity of each still, including its head ; or cents per gallon for all spirits distilled from grain ; or cents per gallon for all spirits distilled from fruit.

Ordered, That a bill or bills be brought in, pursuant to the said resolutions ; and that mr. Fitzsimons, mr. Huntington, mr. Jackson, mr. Contee, and mr. Bloodworth do prepare and bring in the same.

Wednesday, April 28.

The house, according to the order of the day, resolved itself into a committee of the whole house, on the bill to provide for mitigating or remitting the forfeitures and penalties accruing under the revenue laws, in certain cases therein mentioned.

Mr. Speaker left the chair.

Mr. Livermore took the chair of the committee.

Mr. Speaker resumed the chair, and Mr. Livermore reported, that the committee had, according to order, had the said bill under consideration, and made no amendment thereto.

Ordered, that the said bill be engrossed and read the third time to-morrow.

Thursday, April 29.

An engrossed bill, "to provide for mitigating or remitting the forfeitures and penalties accruing under the revenue laws, in certain cases therein mentioned," was read the third time.

Resolved, that the said bill do pass; and that the title be, "an act to provide for mitigating or remitting the forfeitures and penalties accruing under the revenue laws, in certain cases therein mentioned."

Ordered, that the clerk of this house do carry the said bill to the senate, and desire their concurrence.

Ordered, that a bill or bills be brought in, for the government and regulation of seamen in the merchants' service; and that Mr. Fitzsimons, Mr. Smith, (of Maryland,) and Mr. Sturges, do prepare and bring in the same.

The house, according to the order of the day, resolved itself into a committee of the whole house, on the bill for the encouragement of learning, by securing the copies of maps, charts, books and other writings, to the authors and proprietors of such copies, during the times therein mentioned.

Mr. Speaker left the chair.

Mr. Seney took the chair of the committee.

Mr. Speaker resumed the chair, and Mr. Seney reported, that the committee had, according to order, had the said bill under consideration, and made several amendments thereto, which he delivered in at the clerk's table, where the same were severally twice read, and agreed to by the house.

Ordered, that the said bill, with the amendments, be engrossed, and read the third time to-morrow.

Friday, April 30.

Ordered, that a committee be appointed to report a catalogue of books necessary for the use of congress, together with an estimate of the expense thereof; and that Mr. Gerry, Mr. Burke, and Mr. White, be of the said committee.

The house according to the order of the day, resolved itself into a committee of the whole, on the bill to prescribe the mode in which the public acts, records, and judicial proceedings in each state, shall be authenticated, so as to take effect in every other state.

Mr. Speaker left the chair.

Mr. Seney took the chair of the committee.

Mr. Speaker resumed the chair, and Mr. Seney reported that the committee had, according to order, had the said bill under consideration, and made an amendment thereto, which he delivered in at the clerk's table, where the same was twice read, and agreed to by the house.

Ordered, that the said bill, with the amendment, be engrossed, and read the third time on Monday next.

Monday, May 3.

Mr. Fitzsimons, from the committee appointed, presented, according to order,

a bill for the government and regulation of seamen in the merchants' service, which was received and read the first time.

Wednesday, May 5.

Mr. Fitzsimons, from the committee appointed, presented, according to order, a bill for repealing, after the last day of _____ next, the duties heretofore laid upon distilled spirits imported from abroad, and laying others in their stead, and also upon spirits distilled within the united states, as well to discourage the excessive use of those spirits, and promote agriculture, as to provide for the support of the public credit, and for the common defence and general welfare, which was received and read the first time.

On motion,

The said bill was read a second time, and ordered to be committed to a committee of the whole house on Tuesday next.

Monday, May 10.

The house, according to the order of the day, resolved itself into a committee of the whole house, on the report of the committee to whom was referred so much of the petition of the merchants and traders of the town of Portsmouth, in the state of New-Hampshire, as prays that congress will adopt measures to prevent foreigners from carrying the commodities of this continent, to any port or place, where the citizens of the united states are prohibited from carrying them.

Mr. Speaker left the chair.

Mr. Livermore took the chair of the committee.

Mr. Speaker resumed the chair, and Mr. Livermore reported, that the committee had, according to order, had the said report under consideration, and made some progress therein.

Tuesday, May 11.

The speaker laid before the house a letter from the secretary at war, covering a report made pursuant to an order of the house, of the twenty-third ultimo, stating an account of the troops (including the militia) and also of the ordnance stores furnished from time to time by the several states, towards the support of the late war, which were read and ordered to lie on the table.

Wednesday, May 12.

A bill, repealing, after the last day of next, the duties heretofore laid upon wines imported from foreign ports or places, and laying others in their stead, was read the second time, and ordered to be committed to a committee of the whole house on Monday next.

The house, according to the order of the day, again resolved itself into a committee of the whole house, on the report of the committee to whom was referred so much of the petition of the merchants and traders of the town of Portsmouth, in the state of New-Hampshire, as prays that congress will adopt measures to prevent foreigners from carrying the commodities of this continent to any port or place, where the citizens of the united states are prohibited from carrying them.

Mr. Speaker left the chair.

Mr. Senev took the chair of the committee.

Mr. Speaker resumed the chair, and Mr. Seney reported, that the committee had, according to order, again had the said report under consideration, and made a farther progress therein.

Thursday, May 13.

A petition of fundry persons of the denomination of people called quakers, in the flate of North Carolina, was presented to the houle and read, praying relief againft the operation of an aft of the legiflature of the faid flate, by which they are deprived of the right of pre-emption of certain lands which they held under the laws thereof.

Friday, May 14.

The house, according to the order of the day, again resolved itself into a commit-

tee of the whole house, on the report of the committee to whom was referred so much of the petition of the merchants and traders of the town of Portsmouth, in New-Hampshire, as prays that congress will adopt measures to prevent foreigners from carrying the commodities of this continent to any port or place where the citizens of the united states are prohibited from carrying them.

Mr. Speaker left the chair.

Mr. Boudinot took the chair of the committee.

Mr. Speaker resumed the chair, and mr. Boudinot reported, that the committee had, according to order, again had the said report under consideration, and come to a resolution thereupon, which he delivered in at the clerk's table, where the same was again twice read, and agreed to by the house, as followeth :

Resolved, that the tonnage on all foreign-built bottoms, belonging to nations not in commercial treaty with the united states, be raised to the sum of one dollar per ton, from and after the first day of January next ; and that from and after the day of the tonnage on all such vessels be raised to and that from and after the day of no such vessel be permitted to export, from the united states, any unmanufactured article being the growth or produce hereof. Provided that this resolution shall not be extended to the vessels of any nation, which permits the importation of fish, other salted provision, grain, and lumber, in vessels of the united states.

Ordered, That a bill or bills be brought in pursuant to the said resolution, and that mr. Madison, mr. Sedgwick, and mr. Hartley, do prepare and bring in the same.

A petition of sundry persons, citizens of the united states, captured by the Algerines, and now in slavery in Algiers, was presented to the house, and read, praying the interposition of congress in their behalf, and that effectual measures may be adopted for liberating them from slavery, and restoring them to their country.

Ordered, That the said petition be referred to the secretary of state, with instruction to examine the same, and report his opinion thereupon to the house.

Monday, May 17.

Mr. Madison, from the committee appointed, presented, according to order, a bill concerning the navigation and trade of the united states, which was received and read the first time.

The house proceeded to consider the resolutions reported by the committee to whom was referred a motion of the seventh instant, respecting the arrears of pay due to a part of the troops of the Virginia, North-Carolina, and South Carolina lines : whereupon.

Resolved, That this house do agree to the said resolutions, amended, to read as follow :

Resolved, That the president of the united states be requested to cause to be forthwith transmitted to the executives of the states of Virginia, North-Carolina and South-Carolina, a complete list of the officers, non-commissioned officers and privates of the lines of those states respectively, who are entitled to receive arrears of pay due for services in the army, in the years one thousand seven hundred and eighty-two, and one thousand seven hundred and eighty-three, annexing the particular sum that is due to each individual, with a request to the executives of the said states, to make known to the claimants in the most effectual manner, that the said arrears are ready to be discharged on proper application.

Resolved, That the president of the united states be requested to cause the secretary of the treasury to take the necessary steps for paying, (within the said states respectively,) the money appropriated by congress on the twenty-ninth day of September, one thousand seven hundred and eighty-nine, for the discharging the arrears of pay due to the troops of the lines of the said states respectively.

Resolved, That the secretary of the treasury, in cases where the payment has not been made to the original claimant, in person, or to his representative, be

directed to take order for making the payment to the original claimant, or to such person or persons only as shall produce a power of attorney, duly attested by two justices of the peace, of the county in which such person or persons reside, authorizing him or them to receive a certain specified sum.

Tuesday, May 18.

Resolved, That the terms for which the president, vice-president, senate and house of representatives of the united states, were respectively chosen, did, according to the constitution, commence on the fourth of March, one thousand seven hundred and eighty-nine: and so the senators of the first class, and the representatives, will not, according to the constitution, be entitled, by virtue of the same election by which they hold seats in the present congress, to seats in the next congress, which will be assembled, after the third of March, one thousand seven hundred and ninety-one: and further, that whenever a vacancy shall happen in the senate or house of representatives, and an election to fill such vacancy, the person elected, will not, according to the constitution, be entitled, by virtue of such election, to hold a seat beyond the time for which the senator or representative in whose stead such person shall have been elected, would, if the vacancy had not happened, have been entitled to hold a seat.

That it will be adviseable for the congress to pass a law or laws, for determining, agreeable to the provision in the first section of the second article of the constitution, the time when the electors shall, in the year which will terminate on the third of March, one thousand seven hundred and ninety three, and so in every fourth year thereafter, be chosen, and the day on which they shall give their votes, for declaring what officer shall, in case of vacancy, both in the office of president and vice president, act as president; for assigning a public office, where the lists, mentioned in the second paragraph of the first section of the second article of the constitution, shall, in case of vacancy in the office of president of the senate, or his absence from the seat of government, be in the mean time deposited; and for directing the mode in which such lists shall be transmitted.

Thursday, May 20.

The bill sent from the senate, entitled, "An act to prevent bringing goods, wares and merchandises from the state of Rhode-Island and Providence plantations into the united states, and to authorize a demand of money from the said state," was read the second time, and ordered to be committed to a committee of the whole house on Monday see'nnight.

Friday, May 21.

The house, according to the order of the day, again resolved itself into a committee of the whole house, on the bill making provision for the debt of the united states.

Mr. Speaker left the chair.

Mr. Seney took the chair of the committee.

Mr. Speaker resumed the chair, and mr. Seney reported, that the committee had, according to order, again had the said bill under consideration, and made a farther progress therein.

Monday, May 24.

An engrossed bill for giving effect to an act, entitled, "an act to establish the judicial courts of the united states," within the state of North Carolina, was read the third time.

Wednesday, May 26.

The house proceeded to consider the report made by the committee of the whole house, on the bill, making provision for the debt of the united states: whereupon,

Ordered, that the said committee be discharged from further proceeding on the said bill.

The following amendment to the third section, being under consideration, to wit :

To the end of the section, add, " those which shall be issued for the bills of credit, issued by the authority of the united states in congress assembled, at the rate of one hundred dollars in the said bills, for one dollar in specie."

A motion was made, and the question being put, to amend the said amendment, by striking out the words " one hundred,"

It was resolved in the affirmative.

A motion was then made, and the question being put, to insert, in lieu of the words so stricken out, the words " seventy-five,"

It was resolved in the affirmative. Ayes 31. Noes 25.

And then the main question being put, that the house do agree to the amendment to the said third section as before amended,

It was resolved in the affirmative.

The said bill was then further amended at the clerk's table, and, together with the amendments, ordered to lie on the table.

Thursday, May 27.

The house proceeded to consider the bill which lay on the table, making provision for the debt of the united states; and the same being further amended at the clerk's table, was, together with the amendments thereto, ordered to be engrossed, and read the third time on Monday next.

The house proceeded to consider the amendment proposed by the senate to the bill, entitled, " An act providing the means of intercourse between the united states and foreign nations," as followeth :

Strike out " that the president shall not allow to any minister plenipotentiary, a greater sum than at the rate of nine thousand dollars per annum, as a compensation for all his personal services and expenses; nor a greater sum for the same, than three thousand dollars, to a charge des affaires; nor a greater sum than one thousand three hundred and fifty dollars for the same, to any of their secretaries; and that each of the ministers aforesaid, and their secretaries, shall be entitled to one quarter's salary, after receiving leave to return, or a recall from the court to which they may respectively be appointed. And provided also." Whereupon,

Resolved, That this house do disagree to the said amendment, ayes, 18, noes 38.

Tuesday, June 1.

The house, according to the order of the day, resolved itself into a committee of the whole house, on the bill, to provide for the settlement of the accounts, between the united states, and the individual states.

Mr. Speaker left the chair.

Mr. Seney took the chair of the committee.

Mr. Speaker resumed the chair; and Mr. Seney reported, that the committee had, according to order, had the said bill under consideration, and made some progress therein.

On a motion, made, and seconded,

Resolved, that all treaties, made, or which shall be made, and promulged, under the authority of the united states, shall, from time to time, be published, and annexed to their code of laws, by the secretary of state.

Wednesday, June 2.

Mr. Sedgwick presented, according to order, a bill, for giving effect to the laws of the united states, within the state of Rhode Island, and Providence plantations, which was received, and read the first time.

Friday, June 4.

An engrossed bill, for giving effect to the laws of the united states, within the

state of Rhode Island, and Providence plantations, was read the third time, and the blanks therein filled up.

Resolved, that the said bill do pass; and that the title be, 'An act, for giving effect to the several acts therein mentioned, in respect to the state of Rhode Island, and Providence plantations.'

Thursday, June 10.

On a motion made and seconded, that the house do now proceed to take into consideration, a motion, which lay on the table, in the words following, to wit:

"Resolved, that when the two houses shall adjourn to close the present session, the president of the senate, and speaker of the house of representatives do adjourn their respective houses, to meet, and hold their next session in the city of Philadelphia."

It was resolved in the affirmative, Ayes 32. Noes 29.

The said original motion was then read at the clerk's table; whereupon,

A motion being made and seconded, to commit the same to the consideration of a committee of the whole house,

It passed in the negative, ayes 28, noes 33.

Friday, June 11.

A motion was made and seconded, to amend the above resolution by striking out the words, "city of Philadelphia," and inserting, in lieu thereof, the words "town of Baltimore;" and the question being put thereupon,

It was resolved in the affirmative, ayes 31, noes 28.

"Resolved, that when the two houses shall adjourn to close the present session, the president of the senate, and speaker of the house of representatives, do adjourn their respective houses to meet and hold their next session at the town of Baltimore."

It was resolved in the affirmative, ayes 53, noes 6.

Thursday, June 17.

An engrossed bill to authorize the purchase of a tract of land for the use of the united states, was read the third time, and passed.

Friday, June 18.

The house proceeded to consider the bill which lay on the table, for repealing, after the last day of next, the duties heretofore laid upon distilled spirits imported from abroad, and laying others in their stead; and also upon spirits distilled within the united states, as well to discourage the excessive use of those spirits, and promote agriculture, as to provide for the support of the public credit, and for the common defence and general welfare: whereupon,

A motion being made and seconded, to amend the said bill by striking out the twelfth and thirteenth sections, and also such other parts thereof as impose an excessive duty on all spirits distilled within the united states,

It passed in the negative, ayes 19, noes 35.

The said bill was then further amended at the clerk's table.

Monday, June 21.

The house resumed the consideration of the bill for repealing, after the last day of next, the duties heretofore laid upon distilled spirits imported from abroad, and laying others in their stead; and also upon spirits distilled within the united states, as well to discourage the excessive use of those spirits, and promote agriculture, as to provide for the support of the public credit, and for the common defence and general welfare;

And, on the question, that the said bill, with the amendments, be engrossed, and read the third time,

It passed in the negative, ayes 23, noes 35.

And so the said bill was rejected.

Friday, June 25.

The house, according to the order of the day, resolved itself into a committee of the whole house, on the bill concerning the trade and navigation of the united states.

Mr. Speaker left the chair.

Mr. Seney took the chair of the committee.

Mr. Speaker resumed the chair; and Mr. Seney reported, that the committee had, according to order, had the said bill under consideration, and made some progress therein.

Monday, June 28.

An engrossed bill, for the government and regulation of seamen, in the merchants' service, was read the third time, and passed.

Tuesday, June 29.

Resolved, that, for the duty on all teas, which have been imported from China, in the present year, or which shall hereafter be imported, it shall be at the option of the importer, either to deposit such teas with the officer of the customs, where the same shall be entered, or to give bond therefor, with sureties, to the satisfaction of the officer, payable at the expiration of twelve months, from the time of entry:—Provided, that, where the teas shall be deposited, as aforesaid, they shall be kept at the risk and expense of the importer, who shall pay the duties thereon, as the same shall be delivered:—And provided, that, if the whole of the duties shall not be paid, within eighteen months, the officer, with whom such tea is deposited, shall dispose of the same, or so much thereof, at public auction, as may be sufficient to pay the duties.

Ordered, that the said resolution be referred to the committee, appointed to prepare and bring in a bill, or bills, to amend the laws of revenue.

Thursday, July 1.

Mr. Boudinot, from the committee appointed, presented, according to order, a bill, more effectually to provide for the national defence, by establishing an uniform militia throughout the united states, which was received, and read the first time.

On motion,

The said bill was read, the second time, and ordered to be committed to a committee of the whole house, on the state of the union.

Friday, July 2.

Resolved, that an addition of thirty-three and one third cents be made to every one hundred cents of the duties, now payable upon goods, wares, and merchandises, imported into the united states.

That, in addition to the foregoing, there be levied and collected, upon the following articles,

				Cents.
Distilled spirits,	—	per gallon,	—	1 $\frac{2}{3}$
Madeira wine,	—	per gallon,	—	8
Other wines,	—	per gallon,	—	5
Melasses,	—	per gallon,	—	$\frac{1}{2}$
Bohea tea,	—	per pound,	—	2
Souchong and other black teas,	—	per pound,	—	4 $\frac{1}{2}$
Hyson tea,	—	per pound,	—	5 $\frac{1}{2}$
Other green teas,	—	per pound,	—	4 $\frac{1}{2}$
Coffee,	—	per pound,	—	$\frac{1}{2}$
Brown sugar,	—	per pound,	—	$\frac{1}{2}$
Loaf sugar,	—	per pound,	—	1
All other sugars,	—	per pound,	—	$\frac{1}{2}$
Pepper,	—	per pound,	—	5
Pimento,	—	per pound,	—	3

Nutmegs,	—	per pound,	—	25
Mace,	—	per pound,	—	25
Cinnamon,	—	per pound,	—	30
Cloves,	—	per pound,	—	12 $\frac{1}{2}$
Cassia,	—	per pound,	—	10

Resolved, That after the day of the discount of ten per cent. of the duties on goods, wares and merchandise, imported in ships or vessels, the property of a citizen or citizens of the united states, be discontinued, and that an addition of ten per cent. be made to the duties, on goods, wares or merchandise imported in any other ship or vessel.

Ordered, That a bill or bills be brought in, pursuant to the said resolutions; and that mr. Fitzsimons, mr. Tucker, and mr. Sherman, do prepare and bring in the same.

The house proceeded to consider the report of the committee appointed to consider and report whether any, and what fees, perquisites, or other emoluments, shall be annexed to the offices of consul and vice-consul: Whereupon,

Resolved, That it shall and may be lawful for all consuls and vice-consuls of the united states, for every protest or deposition, relative to letters of attorney, goods, wares, and merchandise, bills of exchange, and other marine and mercantile affairs and transactions, with a certificate thereof, under their hands and seals, respectively, to receive the sum of dollars.

That citizens of the united states, appointed to reside in foreign ports and places, as consuls or vice-consuls of the united states, shall be enabled to own any ships or vessels in their own names, or in partnership with any other citizen of the united states, residing within the said states, and be entitled to all the privileges and advantages, in respect to such ships or vessels, as if such consuls or vice-consuls, respectively owning said ships or vessels, actually resided within any port or place within the united states.

Ordered, That a bill or bills be brought in, pursuant to the said resolution; and that mr. Gerry, mr. Boudinot, mr. Huntington, mr. Wadsworth, and mr. Goodhue, do prepare and bring in the same.

Ordered, That it be referred to the said committee, to report a provision, "That in foreign ports, where the laws of the kingdom or state make it necessary, that vessels should enter by the medium of a consul, and where the laws of such kingdom or state have determined that certain fees shall be paid to such consuls, the consul of the united states shall be authorized to receive such fees; and also to report what further provision may, in the opinion of the said committee, be necessary for consuls and vice consuls of the united states."

Monday, July 5.

A petition of the persons confined for debt in the jail of the city and county of New York, was presented to the house, and read, praying that a general bankrupt law may be passed, upon such principles as will tend to relieve the petitioners, and all others in a similar situation.

Ordered, That the said petition do lie on the table.

Thursday, July 8.

Mr. Goodhue, from the committee appointed, presented, according to order, a bill to regulate the collection of the duties imposed by law on goods, wares, and merchandises, imported into the united states, and on the tonnage of ships or vessels, which was received, and read the first and second time.

Friday, July 9.

The house proceeded to consider the bill sent from the senate, entitled, "an act for establishing the temporary and permanent seat of the government of the united states," which lay on the table: Whereupon,

A motion being made and seconded, to amend the said bill by striking out in the first section, the words: "Potowmack, at some place between the mouths of the eastern branch and Connogocheque," and inserting in lieu thereof, the words: "Delaware, at a place not more than eight miles above, and sixty miles below the falls thereof:"

It passed in the negative, Ayes 23. Noes 39.

Another motion was then made and seconded, to amend the said bill by striking out in the said first section, the words: "on the river Potowmack, at some place between the mouths of the eastern branch and Connogocheque," and inserting in lieu thereof, the words "in the state of Pennsylvania, including Germantown:" And on the question thereupon,

It passed in the negative, Ayes 23. Noes 39.

Another motion was then made and seconded, to amend the said bill by striking out in the said first section, the words: "on the river Potowmack, at some place between the mouths of the eastern branch, and Connogocheque," and inserting in lieu thereof, the words, "between the rivers Susquehannah and Potowmack, at the most healthy and convenient place, having due regard to the navigation of the Atlantic ocean and the situation of the western territory:" and on the question thereupon,

It passed in the negative, Ayes 23. Noes 36.

Another motion was then made and seconded, to amend the said bill, by striking out, in the said first section, the words: "on the river Potowmack, at some place between the mouths of the eastern branch and Connogocheque," and inserting in lieu thereof, the words "in the state of Maryland, including the town of Baltimore."

A division of the motion was called for: and on the question for striking out in the said first section, the words "on the river Potowmack, at some place between the mouths of the eastern branch and Connogocheque,"

It passed in the negative, Ayes 26. Noes 34.

And so the said motion to amend was negatived.

Another motion was then made and seconded, to amend the said bill, by striking out in the third section, the words: "purchase, or:" and on the question thereupon,

It passed in the negative, Ayes 26. Noes 33.

Another motion was then made and seconded, to amend the said bill, by inserting after the word "purchase," in the third section, the words "with such money only as may be granted to the president of the united States, in the manner herein after provided;" and on the question thereupon,

It passed in the negative, Ayes 26. Noes 33.

Another motion was then made and seconded, to amend the said bill by adding to the end of the third section, the words following: "Provided, That the purchases and buildings aforesaid shall not exceed the sum of dollars:" And on the question thereupon,

It passed in the negative, Ayes 26. Noes 33.

Another motion was then made and seconded, to amend the said bill by striking out the fifth section, in the words following, to wit:

"And be it enacted, That prior to the first Monday in December next, all offices attached to the seat of the government of the united States, shall be

removed to, and until the said first Monday in December, in the year one thousand eight hundred, shall remain at, the city of Philadelphia, in the state of Pennsylvania, at which place the session of congress next ensuing the present shall be held," and on the question thereupon,

It passed in the negative, ayes 28, noes 33.

Another motion was then made and seconded, to amend the said bill, by striking out in the fifth section, the words "December next," and inserting in lieu thereof, the words "May, one thousand seven hundred and ninety-two:" and on the question thereupon,

It passed in the negative, ayes 28, noes 32.

Another motion was then made and seconded, to amend the said bill, by striking out in the fifth section, the word "December," and inserting in lieu thereof, the word "May:" and on the question thereupon,

It passed in the negative, ayes 28, noes 33.

Another motion was then made and seconded, to amend the said bill, by striking out in the fifth section, the words "at which place the session of congress next ensuing the present shall be held:" and on the question thereupon,

It passed in the negative, ayes 26, noes 33.

Another motion was then made and seconded, to amend the said bill, by adding to the end of the fifth section, the following proviso, to wit: "Provided nevertheless, That whenever the president of the united states shall receive authentic information that the public buildings aforesaid, are so far completed as to be fit for the reception of both houses of congress, all offices attached to the seat of government shall be removed thereto, any thing herein contained to the contrary notwithstanding:" and on the question thereupon,

It passed in the negative, ayes 13, noes 48.

Tuesday, July 13.

The speaker laid before the house a letter from the secretary of state, covering his report of a proper plan or plans for establishing uniformity in the currency, weights, and measures of the united states, made pursuant to the order of this house, of the fifteenth of January last, which was read, and ordered to lie on the table.

Wednesday, July 14.

The house proceeded to consider the amendments proposed by the senate, to the bill entitled, "An act to provide more effectually for the settlement of the accounts between the united states and the individual states:" whereupon,

Resolved, That this house do disagree to all the said amendments.

Friday, July 16.

The house proceeded to consider the bill making further provision for the payment of the debts of the united states, which lay on the table, and the said bill being amended at the clerk's table, was, together with the amendments, ordered to be engrossed, and read the third time on Monday next.

Saturday, July 17.

An engrossed bill, to regulate the collection of the duties imposed by law, on goods, wares, and merchandize imported into the united states, and on

the tonnage of ships or vessels, was read the third time, and the blanks therein filled up.

Resolved, That the said bill do pass, and that the title be, "An act to provide more effectually for the collection of the duties imposed by law, on goods, wares, and merchandize imported into the united states, and on the tonnage of ships or vessels."

Monday, July 19.

An engrossed bill further to provide for the payment of the debts of the united states, was read the third time, and the blanks therein filled up.

And then the question being put, that the said bill do pass,

It was resolved in the affirmative, ayes 40, noes 15.

Wednesday, July 21.

Mr. Sedgwick, from the managers appointed on the part of this house, to attend the conference with the senate on the subject matter of the amendments depending between the two houses to the bill, entitled, "An act providing more effectually for the settlement of the accounts between the united states, and the individual states," made a report: whereupon,

Resolved, That this house do insist on so much of their disagreement to the first amendment, as proposes to strike out the second section of the bill, and the words, "And be it further enacted," in the third section; and do agree to such other part of the said amendment, as proposes to strike out all the words in the first section, from the word "assembled," to the end thereof, with an amendment, to insert in lieu of the words so stricken out, the following words: "That a board, to consist of three commissioners, be, and hereby is established, to settle the accounts between the united states and the individual states; and the determination of a majority of the said commissioners, on the claims submitted to them, shall be final and conclusive; and they shall have power to employ such number of clerks as they may find necessary."

Resolved, That this house do insist on their disagreement to the second and sixth amendments, and do recede from their disagreement to the third, fourth, fifth, and seventh amendments.

Resolved, That this house do disagree to the amendment proposed by the conferees, in the third line of the third section, for striking out the word "July," and inserting in lieu thereof, the word "April."

Ordered, That the clerk of this house do acquaint the senate therewith.

Monday, July 26.

The house resumed the consideration of the amendments proposed by the senate to the bill entitled, "An act making provision for the debt of the united states:" whereupon,

The last amendment for adding to the end of the bill sundry clauses "making a provision for the debts of the respective states," being under consideration,

A motion was made and seconded, to amend the said amendment by adding to the end of the first clause or section thereof, the following proviso, to wit:

"Provided always, and be it further enacted, That if the total amount of the sums which shall be subscribed to the said loan in the debt of any state, within the time limited for receiving subscriptions thereto, shall exceed the sum by this act allowed to be subscribed within such state, the certificates and credits granted to their respective subscribers, shall bear such proportion to the sums by them respectively subscribed, as the total amount of the said sums shall bear to the whole sum so allowed to be subscribed in the debt of such state within the same; and every subscriber to the said loan, shall, at the time of subscribing, deposit with the commissioner the certificates or notes to be loaned by him:" and on the question thereupon,

It was resolved in the affirmative.

Another motion was then made and seconded, further to amend the said amendment, by adding to the end of the said first clause or section thereof, the following proviso:

"And provided, That the original holders of certificates in the several States shall have the exclusive right of subscribing for the space of six months from the time in which the offices shall be opened in the States respectively, and that the whole of their claims shall be funded." And on the question thereupon,

It passed in the negative, ayes 15, noes 45.

Tuesday, August 3.

On a motion made and seconded, that the house do agree to the following resolution:

Resolved, That the States of Virginia and North Carolina be permitted to enter into a compact for the purpose of opening a navigable canal between the waters of Pasquotank river in North Carolina, and those of the south branch of Elizabeth river in Virginia, by incorporating a company, or by such other means as they shall find best for that purpose."

Ordered, That the said motion be committed to messrs. Parker, Williamson, Burke, Steele, and Wadsworth.

Saturday, August 7.

Resolved, That the sum of fifty thousand dollars, out of the monies arising from the duties on imports and tonnage, be reserved and appropriated for satisfying demands against the United States, not otherwise specially provided for; and that an act for that purpose ought to be passed the present session.

Resolved, That out of the monies reserved during the present session for the support of government, from the duties on imports and tonnage, a sum not exceeding thirty-eight thousand eight hundred ninety-two dollars and seventy-five cents, be appropriated for the payment of the debts contracted by Abraham Skinner, late commissary of prisoners, for the subsistence of the officers of the late army, while in captivity.

Resolved, That provision by law should be immediately made for the appropriation of the surplus sum which shall remain in the treasury after all the appropriations, made during the present session, shall be satisfied, in conformity to the tenor of the report of the secretary of the treasury.

Monday, August 9.

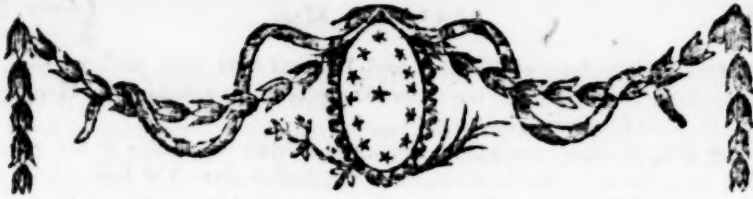
Mr. Fitzsimons, from the committee appointed, presented, according to order, a bill making provision for the reduction of the public debt, which was received and read the first time.

Ordered, That the representation from the general court of the commonwealth of Massachusetts, on the subject of the whale and cod fisheries, together with the several papers accompanying the same, which lie on the table, be referred to the secretary of state, with instruction to examine the matter thereof, and report his opinion thereupon to the next session of congress.

Ordered, That the speaker of this house do transmit to the executive authority of each State, an authentic copy of the resolution of the eighteenth of May last, on the report of the committee to whom it was referred, to consider and report their opinion on the question, "when, according to the constitution, the terms, for which the president, vice-president, senators, and representatives have been respectively chosen, shall be deemed to have commenced."

Thursday, August 12.

Adjourned until the first Monday in December next.



A P P E N D I X IV.

FOREIGN INTELLIGENCE.

Paris, April 14, 1790.

THE new church for the calvinists, at Strasburg, (the first they were permitted to build in that city) was lately consecrated with great solemnity. The new mayor, the magistrates, the officers of the garrison, and the clergy of the three different persuasions, catholics, lutherans, and calvinists, preceded and followed by the national guards, went in procession to assist at the ceremony. After having sung the *Te Deum* at the catholic church, they proceeded thence to the cathedral, where they were received by the protestant clergy. The occasional sermon was preached by one of the body, whose powers of eloquence and reasoning were so extraordinary that, at the same moment, as if actuated by one soul, the clergy and magistrates of the different sects arose and mutually embraced: the rest of the congregation followed their example, and audibly exchanged vows of never-ending fraternal amity. It was a scene which superior beings might view with delight—it was the triumph of true religion, enlightened reason and humanity, over prejudice, ignorance and error. Every eye glistened with the tear of sensibility, and every heart ratified the bond of permanent union.

NATIONAL ASSEMBLY, *April 16.*

This day was introduced a decree in favour of the Jews of Alsace and the other provinces. This persecuted nation, having in all ages been particularly obnoxious to the fury of the populace, and at present dreading some sudden attack of the lower ranks, requested the national assembly, to be taken under the protection of the laws. The assembly have accordingly forbidden all persons to molest them, and ordered the municipalities to protect their properties.

April 30. Upon the motion of M. Target, it was decreed, without any debate, that

“All persons, born out of the kingdom, of foreign parents, shall, if established in France, be reputed Frenchmen, and, as such, admitted to the exercise of the rights of active citizens, after taking the civic oath, and after being domiciliated for five years in France; provided they shall also have either acquired a real estate, married a French woman, formed a trading establishment, or received admission, as burghesses, into certain cities: and this notwithstanding any usage to the contrary.”

London, April 1. A letter from Brussels, dated March 30, says: “The citadel of Antwerp was evacuated yesterday morning, according to the terms of the capitulation: and by this circumstance there does not now remain a single Austrian armed in any of the Belgic provinces, except Luxemburgh.”

The evacuation of the citadel of Antwerp was effected without difficulty or tumult. The Belgic troops, amounting to about sixteen thousand men, assembled from Brussels, Tournay, Flanders, &c. formed themselves into a body, on the esplanade, before the citadel, at six o'clock, on the morning of the 29th. At seven, the gates were thrown open; and the volunteers entered the citadel, on the side of the city, while the Austrian troops marched out in three bodies by the opposite gate, and laid down their arms on the glacis. They were afterwards conducted in small divisions, by detachments of the Belgic army, to places of security.

April 7. The states of Flanders and Hainault have both declared themselves strongly in favour of returning to the allegiance of the new king of Hungary, on the terms proposed by his majesty.

April 8. A letter from Stockholm, dated March 29, says: "the campaign has been opened at sea by an attack on the Russian fortress at Roderwick, in the entrance of the gulph of Finland, which was carried by storm in a few minutes, the garrison retiring as the assailants entered, though they were nearly treble their numbers. Before our troops re embarked, they spiked forty-nine pieces of cannon, and set fire to the magazines, containing upwards of *sixty thousand tons of flour and malt*, together with timber and other materials, for the construction of gun-boats and bomb-ketches."

April 14. A charity sermon cannot be preached now-a-days, but an audience must be attracted by other means than that of religion. The public are not told who is to preach, for that is immaterial—but what number of celebrated performers (ladies and gentlemen) are to play and sing. So that now they do not advertise a sermon, but that on such a Sunday, and in such a church, there will be performed a concert of music, with a sermon between the acts.

April 15. The corps of officers of the Belgic army have published the following spirited resolutions, in consequence of finding that no attention was paid to their former remonstrance to the states, respecting general Van-der-Mersch.

1. That general Van-der-Mersch shall remain generalissimo of the Belgic army.

2. That the duke D'Ursel shall instantly be placed at the head of the war department.

3. That the prince D'Arenberg, count de la Murek, whose military talents are generally known, and who, at the commencement of the revolution, gave such proofs of patriotism, in offering his services to the committee at Breda, shall be appointed second in command of the army, next to general Van-der-Mersch.

4. That addresses of supplication shall be sent to all the provinces, inviting them to co-operate with the army in reforming abuses and re-establishing order.

Agreed to by the military committee, constituted by the army at Namur, March 31, 1790.

E. VANDERSTEENE, notary.

April 27. By the new treaty between Prussia and the porte, the first is to declare war this spring against Austria and Russia; and they are to employ their forces, to obtain the restoration of Galicia, Lodomiria, and the territory wrested by Austria from Poland. The porte is to protect the Prussian flag in the Mediterranean. No peace is to be made, till the Crimea and the Imperial conquests are restored to the porte, nor without the consent of the courts of Sweden and Poland. This alliance, offensive and defensive, shall continue in force between the porte and Prussia, Sweden, and Poland, even after the conclusion of peace. The conquests, which the porte and the king of Prussia may make, shall not be restored, until the courts of Petersburg and Vienna agree to submit the differences between them and the republic of Poland, to the mediation of the two contracting parties. The porte and his Prussian majesty will not consent to peace, but under the mediation of England and Holland. After the conclusion of peace, his Prussian majesty engages to guarantee all the possessions that remain to the porte: and he engages, besides, to procure the guarantee of England, Prussia, Sweden, and Poland, for all the territories of the Ottoman empire.

Preparation for war are carried on with redoubled vigour and activity throughout Prussia—the baggage waggons are ordered to be in readiness at a moment's notice—the ambassador from Vienna is expected to leave Berlin every hour—the frontiers of Bohemia are strictly guarded—and the peasantry have orders to prepare forage for the king's troops; but notwithstanding these warlike appearances,

"great bets are depending," adds our correspondent, "that peace will yet result from the negotiations on the tapis."

The national assembly have immortalized their proceedings by establishing the trial by jury—and by solemnly declaring that conquest and extending the limits of the kingdom shall disgrace their public councils no more.

May 6. On Tuesday policies of insurance were opened at Lloyd's coffee-house, on a premium of ten per cent. that press warrants were not issued within seven days. These have of course been recovered. Yesterday policies were done at Lloyd's, at ten, and afterwards twenty per cent. to insure that there should be a declaration of war against Spain within six calendar months.

We Wednesday six houses of rendezvous were opened for the entering of seamen into his majesty's service.

The three per cent. consols. are now reduced to $74\frac{1}{2}$ hs. having in a few days fallen to that price, from $80\frac{1}{2}$.

May 7. By the returns made to the admiralty yesterday, the number of men secured in the river on Tuesday night, amounts to near 2000. No doubt this number is considerably increased by a general press throughout every seaport in the kingdom.

On Tuesday morning, an express arrived at admiral Roddam's, at Portsmouth, ordering the Southampton, Pegasus, Nautilus, Termigant, Flirt, and Drake ships to sail that night, on especial service. The captains of the guardships were likewise ordered to sleep on board, and the Hebe was directed to follow the Pegasus, &c. the next morning.

Besides these orders, the admiralty board thought proper yesterday to order the following ships to be immediately put in commission:

Royal Sovereign, 100; Victor, 100; Formidable, 98; Princess Royal, 98; Gibraltar, 80; Egmont, 74; Valiant, 74; Warrior, 74; Robust, 74; Alexander, 74; Alfred, 74; Courageux, 74; Canada, 74; Arethuse, 38; Minerva, 38; La Nymphe, 36; Le Prudent, 36; Melampus, 36; Iphigene, 32; Winchelsea, 32; Hinde, 28; Hussar, 28; Cyclops, 28; Boreas, 28; Daphne, 20; Typhoon fire-ship, 12.

A frigate has been already dispatched to Gibraltar, and it is supposed that a Squadron will immediately follow it.

Cause of the impending Spanish war.

A plan of discovery and commerce on the north-west coast of America, having been meditated by a company of gentlemen in London and India, Mr. Mears, a very able and intelligent officer, belonging to his majesty's service, was fixed on, together with another gentleman, to superintend this expedition.

In the year 1786, two vessels were fitted out from Bengal to make this voyage, one of which, after leaving China, has never been heard of to the present moment: the other, in which was Mr. Mears, after having been for several months on the north-west coast of America, during part of which time, the ship was blocked up with ice, returned back to China with a very valuable cargo of furs. In the course of this expedition, Mr. Mears had seen sufficient to convince him, that a very lucrative branch of trade might be followed on this coast, the natives being friendly, and willing to form an intercourse.

In the years 1788 and 89, four vessels were fitted out from China, to pursue the advantages and discoveries made by Mr. Mears in his former voyage; and the trade continued with the utmost success, and was becoming a matter of great national advantage. In the course of trading on the coast, Mr. Mears found a place convenient for ship building, and actually built and fitted out a vessel, the first of the kind ever attempted in that part of the world, which he destined for exploring the archipelago of St. Lazarus, and the straits of Juan de Fuca.

Towards the middle of last year, this trade had become so flourishing and ex-

tensive, through the activity and prudent management of Mr. Mears, that factories and trading houses were begun to be erected, the same as at Hudson's bay, and several discoveries were made in different parts of that coast of America and the straits of the archipelago, where no European had ever ventured. A colony was nearly formed at Nootka sound, as a factory for the trade, when a small squadron of Spanish ships of war, commanded by a naval officer, and a man of high rank, seized on two of the armed vessels, and, in spite of every remonstrance, sent the crews of them to Mexico in irons.



AMERICAN INTELLIGENCE.

Worcester, June 10. Late on Friday last, the general court of this commonwealth voted to request congress to assume this state's debts. Information thereof was immediately dispatched by government to our senators in congress, with instructions to them to use their influence to accomplish this purpose.

Baltimore, June 8. A letter received at Winchester, the 1st. inst. dated at Lexington, Kentucke, May 20, says:—"Yesterday a body of Indians came into this neighbourhood, killed several white people, took several children prisoners, and carried off a number of horses. Two companies of volunteers march to-morrow morning in pursuit of them. Much trouble is expected in this quarter this summer, as the savages appear to be determined on every barbarity and mischief in their power."

Easton, June 8. The convention of the protestant episcopal church of Maryland, met at this place on the 27th of last month; and after transacting, with the utmost harmony and concord, the important business which came before them, they adjourned, on the Monday following, to meet at Baltimore-town, on Thursday in whitsun-week, 1791. That respectable body, we hear, have ratified the book of common prayer, as established by the general convention held at Philadelphia in September last, which is to come into use, throughout the ten states which have adopted the same, on the first day of next October. We are authorized to say, that the liturgy is considerably improved by the learned and enlightened body who revised it: and there is reason to hope that it will recommend itself to every considerate member of the episcopal church—and, by the blessing of heaven, promote uniformity of sentiment and worship, and consequently the interests of piety and true religion, among her members throughout this extensive empire.

Providence, June 17. The hon. Joseph Stanton, jun. and Theodore Foster, esquires, are elected senators to represent this state in the congress of the united states.

Elizabeth-town, June 9. A cause was lately tried before the district court of the united states, for the district of Delaware, for a breach of the 12th section of the collection law of the united states, whereupon a verdict was given for the united states, for the sum of 400 dollars, against Adam Caldwell, for his having, on the night of the 29th of August last, aided and assisted in landing goods from a ship then lying in the Delaware, contrary to the said law.

Petersburg, June 10. On Thursday last, came to this town, on his way to Charleston, a man who says his name is Archibald Ross, and who gives the following account of himself—That about five years ago he entered as mate, on board a ship, called the Julius Cesar, belonging to Philadelphia, commanded by Capt. Squires, which was then lying at Charleston, and about to set sail to Cadiz in Spain; that after they had proceeded on their voyage as far as the western islands, they were taken by two Algerine vessels, and carried to Algiers; that the third day after their arrival there, the whole of the ship's company, which consisted of twenty-two, including the captain and himself, received sentence of slavery for

life; that part of them, viz. John Henderson, John Wilkinfon, John Woodrow, Archibald Kidd, James Cary, William Willis, Archibald M'Caleb, John Young, Luther Eldrikin, Peter Sterling, John M'Callum, William Spiers, and Martin Barr, were sent into the country, and chained along side of mules, to work with them, (this, he says, is the usual manner in which they work their slaves on land;) another of the ship's company, William Woodrow, being a handsome young man, was castrated, and sent to the seraglio to take care of the women; the remainder, viz. capt. Squires, himself, John Smith, Archibald Deacon, William Jackson, David Smith, David Davis, (carpenter) and William M'Graw, were sent on board a galley, and chained to the oars; that captain Squires died while in slavery; that during their confinement, those who were on board the galley, made several attempts to make their escape, but all proved fruitless, until about five months ago, when a favourable opportunity offered to clear themselves of their inhuman masters: to effect this, they killed one or two of the guard, confined the rest, seized upon a small galley, which was lying near the one they were in, and set sail for Gibraltar, where they arrived in a few hours, and once more enjoyed their liberty: but notwithstanding they had obtained this, they were still without clothing, provisions, or money to purchase them, and the only way they had to raise money was by selling the galley they ran away with; this was purchased by some person residing there, for six hundred dollars—but who never paid them a shilling for it—so that on their first arrival in a christian country, they experienced a piece of roguery, that no savage would exercise upon his distressed fellow creatures. In this situation, they would have suffered very much, but for the English consul, who very kindly furnished them with some necessaries, until opportunity offered for them to sail to their respective friends. A vessel being about to sail from Spain to Boston, himself and Archibald Deacon entered on board of her, and arrived there safe, where he left Archibald Deacon, and proceeded on in a vessel bound to Fredericburg, from which place he came here, on his way to Charleston, where his friends reside. The remaining five he left in Spain, waiting for another opportunity.

The said Rofs also informs, that he saw a capt. Henry Whiting, belonging to Virginia in slavery—and that it is generally supposed the Algerines have 4000 christians in slavery, amongst whom are about 220 sea-captains.

N. York, June 15. Yesterday the house of representatives of the united states went into a committee of the whole, on the bill for repealing certain duties on spirits, and laying others in their stead. The committee having gone through the bill, reported the same with amendments, which were taken up in the house, and considerable progress made therein.

We hear that the senate of the united states yesterday took up the resolution of the house of representatives, respecting an adjournment to Baltimore, which, on motion, was postponed for a fortnight: thirteen to eleven.

June 16. In the house of representatives of the general court of Massachusetts, June 5, a petition of mess. Hallam and Henry, praying for the legislature's permission to open a theatre in the town of Boston under proper regulations, was read and committed.

June 18. A vault was discovered, a few days ago, in fort George, by those employed to demolish it, which seems to surpass the memory of our oldest citizens—by the inscription on the coffin plate, the person interred was the lady of governor Hunter, and has lain in that silent cell seventy-four years. A few of her bones and fragments of her burial-apparel remain unconsumed.

Last Tuesday petitions were read in the assembly of Massachusetts, from the towns of Boston, Salem, Springfield, Taunton, Medford, Gloucester, and Wintertown, praying for the repeal of the excise laws of that state. The petition from Boston was signed by 1071 names.

Philadelphia, June 16. A letter from Liverpool, April 17, says: "We take this opportunity of acquainting you, that, in consequence of a law just passed here, no goods can be imported into this kingdom from the united states, but such as are the growth or produce of those states. This removes the advantage which British vessels have lately had over American, in bringing West India produce from your states, as such produce cannot now be imported from America in the vessels of either country."

June 17. It is with great pleasure we inform our readers, that upwards of half a ton of maple sugar was brought to this city from Stockport on the Delaware, a few days ago. This sugar was made by the New-England farmers who settled on the beech and sugar maple lands last year. It has been pronounced by good judges to be superior to the Muscovado sugar usually imported into this city. It is said there are sugar trees enough on the lands between the Delaware and Susquehannah, to supply the whole united states with this agreeable article of diet, and that preparations are making by the farmers on those lands, to carry on the manufactory of this sugar in the most extensive manner.

June 18. Sunday afternoon arrived in this port from Carthagena, a brig and a schooner, with the remainder of the people who went from hence some time since to settle at that place. They are sent back by order of his catholic majesty, whom they petitioned for that purpose. The schooner mounts 12 guns, and came as a convoy to the brig.

The ship *Hannibal*, capt. Conyngham, arrived here last Saturday, in 37 days from Belfast, with near three hundred passengers in good health.

June 19. On Tuesday, June 3th, a commencement was held by adjournment, for the purpose of conferring the degree of doctor in medicine, in the college hall of this city. The business was opened with a prayer, by the rev. dr. Smith, provost of the college. A pertinent address was afterwards delivered to the audience, by dr. Shippen, in which several judicious reasons were given for conferring the degree of doctor, instead of bachelor of medicine, in the college. The following candidates were then examined upon the subject of their theses, by the different professors of medicine: viz. Armand John de Rosset, of North Carolina, de febris intermittens; James Proudfit, of the state of New York, de pleuritide vera; and John Penington, of Philadelphia, on fermentation.

The Latin theses were examined and defended, in the Latin language. The thesis on fermentation, which, from the modern terms employed in it, was necessarily written in English, was examined and defended in the same language.

The degree of doctor of medicine was then conferred, by the provost, upon Samuel Powel Griffiths, M. B. professor of materia medica in the college, and upon each of the candidates, to whom the right hand of fellowship was afterwards publicly given, by each of the medical professors. The business of the day was concluded with a sensible and pathetic address to the graduates, by the provost of the college.

A letter from New York, dated June 13, says: "The dispute about the residence of congress is the only subject of conversation here. I wish it was settled; for it is too evident, that an eye to it, influences the votes upon many questions, and in some instances produces delays or decisions, that are both injurious and dishonourable to our country."

June 21. A letter from New-York says: "The May packet is arrived. It appears that the fever of Europe must be abated by the letting of blood. A war is very likely to take place between England and Spain: the ostensible cause is the capture of some vessels belonging to England, by the Spaniards, on the N. W. coast of America.—Representations have been made to the court of Spain:—haughty answers returned: the king in a message to the commons, speaks big.

For y ships of the line are put into commission; a great number of seamen taken into service, &c. &c. The captain of the packet says, that in all probability, war is now declared. Whether England will accept of apologies from Spain, or really means to take the present very favourable time to strike, is hard to say: certainly now is her time: the independence of South-America is said to be a favorite object. I hope, for the honour of human nature, and for the saving of human blood, that the accounts may not be true, nor the captain's supposition realized.

"The funding bill is not yet come from the senate: it has been committed to a select committee: that committee has reported: Strike out all alternatives—fund the principal, without intents or back interest, at four per cent. Continental money 100 for 1. These amendments have been the subject of debate in senate (committee of the whole) for Tuesday and Wednesday—nothing determined: Yesterday other business occupied the whole day. The house of representatives are this day in the ways and means: The bill will go heavily on."

June 26. His honour the chief justice, and the prothonotary of the supreme court, arrived here last Thursday from the western circuit. It must be pleasing to the public to learn, that in six counties there was not a single indictment or presentment, though there had not been a court of oyer and terminer and general gaol delivery held in any of them for twelve months preceding. There was one indictment only in the county of Alleghany, which was for murder: four white men, not inhabitants of that county, have been charged with killing an Indian, of the Delaware nation.

June 27. The churches, believing in "The salvation of all men," who met at Philadelphia on the 25th ultimo, have composed, adopted, and exhibited to public view, "Articles of faith, and a plan of church government"—They have also added sundry recommendations, addressed to the churches in the united states believing in that doctrine.

June 28. A letter from Salem, (New Jersey) dated, June 23, says: "It is with pleasure we can inform the public, that the greatest part of our farmers are cutting their hay without the use of spiritous liquor, and intend to get in their harvest without the use of it. We had a large number, who did it last year, and the advantage was so great, especially in the harvest, that the grain was reaped cleaner, and the men were much more able to perform their work, than those who drank rum."

June 29. The business, respecting the excise law of congress, intended to have been taken up, at the meeting of the citizens, on Wednesday evening, was agreed to be postponed, as accounts were received from New York, that the bill was not likely to pass in its present form, and that a new committee had been appointed, "to bring forward a system of ways and means, to provide for the payment of the interest on the public debt." It appeared to be the sentiment of the company met, as far as could be collected from general conversation, that the excise law, lately before congress, was a high infringement on the liberties of the people, and ought not silently to be submitted to; and that if any similar system should be brought forward, a meeting of the citizens should be immediately called.

A letter from St. Eustatia, dated June 8, says: "A plot has been discovered in Martinique, of the coloured people (mulattoes) to attack the inhabitants, to put them all to death, and to set fire to the town and all the vessels in the harbour. When they suspected their design was known, a party made an attempt to possess themselves of Fort Royal, in which they killed the commandant and many others. They were, however, repulsed, and ran off to the mountains—since which the inhabitants are putting to death all the mulattoes and mustees they can catch. When the person, who brought the news, left Martinique, he saw twenty-five hanging

together: and it was determined to kill every one in the town, and never permit any to live there again. He also says, that every tree in the town had more or less of halters prepared for the unhappy creatures, as they could be caught."

June 30. We hear that the senate had, on Monday, under their consideration, a bill respecting a permanent residence, which was agreed to be fixed on the Patowmac. A question arose, respecting the term of years congress should remain at a temporary seat; which is not yet decided: but it is said, that a majority of 13 to 12 (exclusive of the vice-president's vote, and col. Gunn's, who was absent) have agreed upon New York for the temporary residence.

Extract of a letter from the general and intendant of St. Domingo, to the honorable vice consul of France in Virginia, dated Port-au-prince, April 22, 1790.

"We have just now issued an ordinance, giving permission for the introduction (for an unlimited time) of flour and biscuit, of foreign growth and manufacture. The introduction of the said articles will not cease till two months after the ordinance shall be repealed."

The honourable Josiah Bartlet, esq. is chosen president of New Hampshire, by the legislature of that state.

A bill, entitled, "an act for granting to the united states of America the several light-houses in the commonwealth of Massachusetts," was passed to be enacted, on the ninth instant, by the general assembly of that state.

Captain Hofmer arrived at Salem, lately, from Nantz. He brings no accounts of any remarkable disturbances in France; on the contrary, every thing appeared to be tranquil—the people were happy in the revolution which had been effected—the badges of party were laying aside; the nobles, who had quitted the kingdom, were invited by authority to return and occupy their estates; many had accepted the invitation, and the estates of those who should not return, within a fixed time, were to be confiscated.

The district court of the united states, for the district of Maryland, was opened on Tuesday, the 1st inst. at the court house in Baltimore, by the hon. William Paca, esq. who delivered an excellent charge to the grand jury.

MARRIAGES.

NEW JERSEY. *At Longhill.* Daniel Cooper, esq. aged 94, to mrs. Martin, in an advanced age.

PENNSYLVANIA. *In Philadelphia.* Mr. William Chancellor to miss Wharton. Mr. Thomas Ketland to miss Meade. Mr. David Pinkerton to miss Ann Ord. — *At Germantown.* Mr. Caleb Lowndes to miss Margaret Robinson.

MARYLAND. *At Georgetown.* Mr. Slater to miss Contee.

DEATHS.

MASSACHUSETTS. *At Stoughton.*—Mrs. Desire Liscom, aged 84.—*At Lynn.* Mrs. Susannah Breed, aged 95.—*In Worcester.* Joshua Bigelow, aged 90.—*At Marblehead.* Mrs. Blackler, aged 80. Robert Hooper, esq. aged 80.

CONNECTICUT. *At Thompson.* Henry Elithorp, aged 105.—*At Pomfret.* General Israel Putnam, aged 73.—*At East Hartford.* Colonel John Pitkin, aged 83.—*At Montville.* Mrs. Mary Fitch, aged 73.

PENNSYLVANIA. *In Philadelphia.* Mrs. Pettit.—*At York.* David Grier, esq.

DELAWARE. *At Indian river.* Miss Patty Kollock, aged 17.

SOUTH CAROLINA. *In Charleston.* William Drayton, esq.

FOREIGN INTELLIGENCE.

Namur, May 24.

YESTERDAY our troops, to the number of six thousand, divided into three columns, the first commanded by the count de Lanoy, the second by M. Van Dam, and the third by general de Schoenfeld, made an attack upon the Austrians; but were repulsed and routed, one column after another, with the loss of fourteen cannon, their ammunition, above eight hundred stands of arms, cartridges of every kind, and some chests. They this day returned to the attack, divided into three columns, and were again routed, with the loss of one six pounder, and another piece of a smaller bore. Rochefort is full of our killed, who, with the wounded, are reckoned eight hundred, besides eighty-two taken prisoners. The Austrians, in the affair yesterday, had four men and one horse killed, and this day they had, according to the accounts we have received, five men killed and sixteen wounded.

Luxembourg, May 24. We have this moment received advice, that the grand army of the insurgents advanced in three columns to attack our troops posted near Marche, but they were repulsed, notwithstanding the great superiority in numbers. The battle began at three in the afternoon; and toward the evening, the enemy fled, and abandoned twelve pieces of cannon. On the departure of the express, the Austrians were in pursuit of the defeated army. In the engagement, colonel de Beaulieu lost his only son, who had been promoted to the command of a regiment on the day of battle, and had given great proof of his military merit.

Stockholm, May 18. An account is received here of the loss of two Swedish ships of the line, in an unsuccessful attempt made by the duke of Sudermania on the thirteenth instant against the port of Revel.

May 21. A messenger is just arrived with the news, that the king attacked the Russian fleet of armed vessels at Fredericksham, on the fifteenth instant; and, after an action which lasted three hours, obtained a complete victory. He has taken thirty of the enemy's armed vessels; sunk or destroyed ten; and burned the whole of their transports, with the loss of no more than twenty men.

Paris, May 12. The national assembly were lately thrown into confusion by a detail of the insurrection at Marseilles, in which the forts were seized by the insurgents, and the second in command beheaded.

It was resolved—

“That the president do wait on the king, and express the sorrow of the assembly, for the disturbances which have taken place in divers parts of the kingdom, and especially at Marseilles—and their thankfulness for the measures adopted by his majesty for the discovery of the offenders, and for the reparation of the excesses committed; and finally, that a committee be directed, to enquire into the fact and its circumstances, and report them to the assembly.”

June 4. This day in the national assembly, the discussion of the question, on the future organization of the clergy, being resumed, the three following articles were decreed by the assembly.

Article 1. “Every department shall form a diocese: and every diocese shall have the same extent and limits as the department.”

2. “All citizens are forbidden to acknowledge, in any case, the authority of any bishop or metropolitan, whose see is situated in a foreign country, or of his delegates residing in France or elsewhere.

3. A suitable number of metropolitans shall be kept up, and the place of their residence fixed. When the bishop of the diocese shall pronounce finally, in his synod, on matters within his jurisdiction, an appeal shall then be competent to the metropolitan, who shall also pronounce judgment in his metropolitan synod.

London, May 21. The king of Hungary has prohibited the burning of any seized contraband goods, and ordered, that in future they shall be sold for the benefit of the poor.

May 22. Every person at the Hague is still obliged to wear an orange cockade, under a penalty, if he refuse. The third offence to be banishment.

May 23. The underwriters have raised the premium of insurance for the West Indies to fifteen guineas.

Lord Heathfield, the late defender of Gibraltar, set off at half past four in the morning of the 17th of May, to resume his command at that fortress, his majesty having accepted of his offer of service on occasion of the impending hostilities with Spain.

We can announce it from the first authority, that several of the provinces in Spain are in an almost actual state of rebellion, and that the people are every where ripe for a revolt.

May 27. A messenger arrived yesterday express from Paris, with the news of the very important determination of the national assembly of France, on the grand question which has been agitated for five successive days. It is at length resolved—

“That the prerogative of declaring peace and war, is exclusively vested in the representatives of the people.”

The decree, on this subject, is of some length, and reduces the king's power to even an humbler state than that enjoyed by the king of Poland. To execute the actual decrees of the national assembly respecting peace and war, with the discretionary power of providing for the safety of the realm, in case of foreign invasion, during the recess of parliament, are all that remain of the vast prerogatives of the throne of France.

May 31. Letters received in town last night affirm, that Portugal is arming, in all its ports, with an unusual spirit of warlike preparations.

Prussia and Austria are negotiating—and arming: for every courier that arrives, there is a fresh order from the war offices—and these powers seem determined to carry on the farce of negotiation until their troops meet face to face, and bring the matter to a decision, *a la bouche de canon!* Prussia evidently wishes to gain time, and carefully avoids any answer that looks like an *ultimatum*: while Austria, if we may judge from the papers, is neither ready nor willing, in the present state of her affairs, to encounter a foe of the king of Prussia's strength.

The third campaign between the Turks and the imperialists is already begun. Their negotiations could not be expected to issue in peace. What Russia demands is precisely what the Turks have been fighting to preserve: and their alliance with Prussia will not incline them to be more complaisant, in yielding up this point, than they were before.

June 6. By a resolution of the house of commons, vessels exceeding two hundred and one tons burden, are precluded from carrying slaves from Africa.

Twelve sail of the line sailed from Cadiz on the nineteenth of May; twenty more were put in commission; and preparations far more vigorous were making for war in the ports of Spain, than have ever yet been heard of in that kingdom.

The Spaniards have at present in the ports of Cadiz, Ferrol, and Carthagena, 71 sail of the line, and 48 frigates.

June 7. We announce to the public, with the utmost satisfaction, that the courts of Berlin and Vienna have agreed to order their respective armies to abstain from plundering the countries, which they possess during the vicissitudes of war.

The Austrians are every day renewing their victorious attacks on the advanced posts of the Belgians; we have reason to believe, that they have, by this time, forced the passage of the Meuse, and are at the gates of Namur.

The Belgic troops are so depressed by repeated defeats, that it is difficult to lead

them to action, or prevail on them to sustain the charge of the enemy. Congress meanwhile, are resorting to all the arts of inflaming the army and the multitude, that are practised in extremities; and general Schoenfeld and the ministers of the war department, are no less vigilant and active in preparing for the worst.

The Russian fleet, now ready to act against the Swedes, consists of upwards of one hundred ships of war, in three divisions.

June 8. The imperialists, in refusing quarter to the patriots after the late battle, acted, it may be hoped, rather from immediate resentment, than from express orders, or any permanent intention of cruelty. After the example of the unsuccessful barbarities of Philip the second and the duke of Alva, committed in an age, when such practices excited less abhorrence than at present, Leopold must have lost all sense of interest and use of history, if he have recourse to cruelty, as an instrument of war.

AMERICAN INTELLIGENCE.

Charleston, July 1. A correspondent informs us, that the spirit of manufacturing has begun to make considerable progress in the inland parts of this state, with a prospect of success. A gentleman of great mechanical knowledge, and instructed in most of the branches of cotton manufactures in Europe, has already fixed, completed, and now at work on the High Hills of Santee, near Statesburgh, and which go by water, jennings, carding, and flabbing machines; also spinning machines with eighty-four spindles each, and several other useful improvements for manufacturing every necessary article in cotton, which is planted in considerable quantities, and grows to great perfection and profit in that neighbourhood. There is also a fulling and dressing mill for fine and coarse woollens established, and at work on Fishing Creek, near the Catawba River, in full employ by the neighbouring spinners and weavers; where woollens are dyed, pressed, and finished with great neatness by artists from Great Britain. These advantages, though in their infancy, afford a fair prospect to the inhabitants, of being supplied with the necessary articles of both woollen and cotton clothing, without the expense of having them imported from abroad at a high advance: and no doubt will enable them, in a short time, to supply the inhabitants on the sea coast, as an article of commerce and remittance, and give a prospect of relieving them from the numerous difficulties they have laboured under since the war, and assist in recovering from the real distress they were brought to during that period. There appear now only stocking weavers wanting in those parts of the country, to have every necessary article of clothing, both for rich and poor (fine linen excepted) supplied with little or no expense, for their private consumption, and for sale, as cheap or cheaper than can be imported of like quality from any part of the world; the high price of labour in this country will not operate as an obstruction, as those machines, with the labour of two hands, can do the work of fifty or sixty, and to as great perfection.

Leominster, July 15. On Monday last, between three and four o'clock, P. M. a heavy cloud arose in the west, and passed round, at a distance, attended with very heavy thunder, through the south to the north-east. From this station it was impelled, with great velocity, by a strong current of wind, towards the first point of observation. At this time another cloud began its advance from the northwest, in an opposite direction, towards the first-mentioned cloud, and seemed to collect its utmost force for the onset. At a little after five o'clock, the contending clouds met at north by west, and uniting their fury, burst in incredible torrents of hail and rain, accompanied with a heavy gulf of wind, in nearly the direction of north to south. The horror, occasioned by the blended tumult of the raging elements,

cannot be described. The violence of the tempest lasted about fifteen minutes, in which time, whole farms were laid waste—principally by the quantity and velocity of the hail, which fell with such force, as to cut off the growth of the present season. The stoutest Indian corn was beaten into shreds, and fields of English grain had but here and there a scattered straw remaining which was not levelled with the ground. Vast quantities of apples were beaten from the trees; and those more firmly attached, are so bruised, as to prevent their ever coming to maturity. Not only the fruit, but even the trees received great injury—having the bark broken from their limbs. Buildings, fences, &c. received such impressions from the hail, as to be discovered at ninety yards distance. Windows were demolished in its course. Upwards of a hundred squares of glass, it is supposed, were injured in the rev. mr. Gardner's house.

New York, July 1. On Wednesday afternoon, his excellency the governor, accompanied by the honourable Ezra l'Hommedieu and Richard Varick, esqrs. returned to this city from fort Stanwix, having, with the other commissioners, completed a treaty with the Onondaga and Cayuga nations of Indians. We are happy to have it in our power, to assure the public, from the best authority, that their negotiations terminated to the perfect satisfaction of the commissioners, and that every cause of uneasiness has been removed from the minds of the Indians, and harmony and friendship with them fully restored and established.

The sachems and chief warriors of those nations, particularly those who reside at Buffalo Creek, and who had not attended at the two last treaties, very generally attended at this, and with the greatest unanimity and apparent satisfaction, ratified and confirmed the deeds of cession and former agreements, which their respective nations had entered into with the state.

Captain Brandt and captain Daird, of the Mohawks, and many of the most distinguished characters of other nations, also attended the treaty; and their conduct and behaviour, on this occasion, evinced the most friendly disposition, and afforded the commissioners the strongest assurances of their good will and attachments.

July 5. It is with the most sincere pleasure we inform the public, that major Doughty who was reported to have been killed by the Indians on the river Tenassee, safely arrived at Fort Harmar, on the Ohio, the fifteenth of last month. This valuable officer was charged with important public business to the Chickasaw and Choctaw nations of Indians. While ascending the Tenassee, on the twenty-first of March last, he met a party of forty Indians, in three canoes, having a white flag hoisted. This party were a banditti of Cherokees and Shawanese, with three Creeks.

The major was in a barge with ensign Sedam, and fifteen non-commissioned officers and privates. The Indians appeared very friendly; and their chief, and several others, even came on board the barge. They received, with the greatest apparent thankfulness, presents of corn and tobacco. They endeavoured, by every means in their power, to persuade the major to land, and pass the night with them, promising to hunt turkies and buffaloes for him: but he, being suspicious of their design, evaded their entreaties. After having thus passed upwards of an hour, they shook the major by the hand, and left him; but the men had scarcely taken to their oars, before they received from the Indians a severe fire, which was instantly returned, and the boat put about. The barge then floating down the stream, an incessant fire ensued for four hours. During this time, the Indians manifested an intention of boarding the barge; but the cool and well-directed fire of the major's party prevented the design. The major lost five of his party, killed, and six wounded, one of whom died afterwards.

Having his force thus reduced, he was unable to return up the Tenassee, against the stream; he therefore descended that river, and the Ohio, into the Mis-

Mississippi, and arrived, on the twenty-fifth of March last, at L'Ance a la Graie, a Spanish post, about forty-five miles below the Ohio.

The major was received by monsieur Foucher, lieutenant commandant of the post, with the greatest politeness and attention; and every tenderness and care was shown to the wounded, three of whom were left at the post, being too badly injured to be removed.

Capt. Heart, who had been previously dispatched by the major into the Chickasaw nation, joined him afterwards on the Ohio.

July 27. Yesterday the momentous question of the assumption of the state debts, by the united states, was determined in the house of representatives by a majority of 6—Ayes 34, Noes 28.

July 30. Yesterday the amendments proposed by the senate to the funding bill, were taken under consideration by the house of representatives, and in general concurred in, viz. to fund the indents at three per cent. and to prolong the irredeemable quality of the public debt, by striking out 1797, and re-inserting 1800.

The bill for the temporary regulation of the post-office, passed the house.

The committee, on the amendments proposed to the new constitution, reported, that six states had agreed to the first amendment; five states to the second; and eight states to all the other amendments.

Worcester, July 5. Mr. Jacob Isaacs, of Newport, has made such an improvement in the art of distilling salt water into fresh, by a secret method he has discovered, that he can now in a few minutes extract eight pints of fresh water out of ten pints of the saltest ocean water. He asserts he can, with his machinery, make with ease one hundred gallons in a day, equal to any spring or rain water, and as light as either.

AMERICAN INDEPENDENCE.

The late anniversary of this important event, has been celebrated with an uncommon degree of eclat, in all the principal towns in the united states, from which we have had information. Not merely as an historical fact—for the circumstance has astonished the world—we mention, that this glorious event took place, 284 years after the first discovery of this new world by Columbus—160 from the first effectual settlement of Virginia—and 156 from the settlement of Plymouth in this commonwealth.

Providence, (Rhode Island,) July 17. The association of mechanics of this town, lately resolved to exert themselves to prevent every species of illicit trade, and for the due support of the laws of the united states.

Newhaven, July 31. At the commencement in the university of Cambridge, Massachusetts, the 21st instant, the degree of bachelor of arts was conferred on forty-three young gentlemen, and the degree of master of arts on thirty-five. The degree of doctor of laws was conferred on the hon. John Jay, chief justice of the united states.

Philadelphia, July 8. Sunday being the glorious anniversary of American independence, the society of the Cincinnati of Pennsylvania met at the state-house, and after congratulating each other upon its happy return, formed themselves into a body, preceded by their president and vice president, his excellency Thomas Mifflin, and the hon. Thomas M'Kean, esqrs; and being joined by the corporation of the city, the officers of the militia, captain Fisher's company of volunteer artillery, captains Keefe, Sproat, and Hodgdon's companies of light infantry, and a very large and respectable concourse of their fellow citizens, they proceeded with the utmost regularity and good order to Christ church; where the rev. doctor William Smith, at the request of the society, delivered a sermon suitable to the occasion; a sermon, which commanded the strictest attention of a very polite and most crowded assembly, and which, for the elegance of the subject, and,

if possible, the more elegant garb, in which the doctor was pleased to dress it, might challenge the first pen, in the present or any former age.

Extract from the dispatches of the right honourable viscount de Ponteves Gien, to M. de la Tombe.

"On board the Illustre, St Pierre, June 15, 1790.

"Since the beginning of the troubles, there has been a pointed enmity between the town of St. Pierre, and the colony, which increased continually, from the anarchy which reigned in that city. The third of June, after the usual procession, a quarrel took place between the free coloured people, and a mob, which terminated in the sudden slaughter of fifteen mulattoes, and three of their white officers. One hundred and twenty-seven mulattoes were afterwards confined in jail, and their punishment was insisted upon by that unruly mob, which the municipal body was not able to restrain. Every citizen lamented the progressive oppression of a gang of villains, who established themselves in St. Pierre: and that city, so important to commerce, was approaching to be the haunt of vagabonds of all nations; which event, had it arrived, would have proved fatal to all the Windward islands. In this exigency, the colony held a special meeting—the colonists united—all the free coloured people armed themselves, and demanded that justice should be done. Even the slaves began to stir, and every thing would have been in a deplorable situation there, if a speedy relief had not been granted. The colonial assembly having therefore requested the viscount de Damas to employ all the forces under his command, to march to St. Pierre, in order to deliver that town from oppression, and to restore the activity and liberty of its commerce—and myself having also been equally requested, we thereupon agreed to move on the business, the ninth instant, by land and by water. The town of St. Pierre was soon surrounded on every part, and taken possession of by our troops, without firing a single gun: every thing passed with the greatest good order. The municipal body, and the citizens, being satisfied, have presented us addresses of thanks.

"In order to justify the slaughter perpetrated the 3d instant, it was alleged, that a plot had been laid by the free coloured people against the whites. Those, who were put to jail, still remain there—and their case will be legally scrutinized.—The above is all that has taken place. We believe we have rendered an important service to the colony, to the metropolis, and to their respective commerce, especially as we have been so fortunate as to succeed in this delicate operation, without bloodshed, and to the satisfaction of all the citizens.

I have the honour, &c. &c.

(Signed)

P O N T E V E S G I E N.

July 12. Friday last the house of representatives of the united states agreed to the residence bill, as sent down from the senate—majority four. Permanent residence, Patowmack; temporary residence, Philadelphia, for ten years, from the commencement of the next session.

July 21. On Saturday evening last arrived in this city, col. Alexander M^cGillivray and twenty-eight chiefs of the Creek nation, accompanied by colonel Marinus Willett, of New-York; and yesterday morning they proceeded on their journey to New-York, having business of importance to settle with the congress of the united states.—They were treated with every possible mark of attention and respect during their stay in this place.

On Wednesday last the senate of the united states resolved to assume the state debts—14 to 11.

July 22. A person lately arrived from Cuba mentions, to the honour of the Spaniards, that a gradual and real abolition of negro slavery is taking place throughout that island. Every negro born therein is at present entitled to his freedom at twenty-eight years of age, the person whose property he was born, being obliged, before that period, by the laws of the country, to have him or her

instructed in some trade, art, or profession, so that after the time of emancipation, they may be enabled to procure a livelihood for themselves, and not be a burden, perhaps a nuisance to the community. Owing to this wise regulation it is, that agriculture and every mechanical art flourishes to a greater degree in Cuba, than in any of the other islands, called the Greater Antilles. Policy, however, has undoubtedly had its share in effecting so liberal an act. If the island should be attacked by foreign enemies, the government can now depend upon the substantial aid of many thousands of free men of colour, who, as having property in the soil, will, in such case, feel all the ardour of patriotism, and instead of being a dead weight, contribute powerfully to the defence of the country, which not only birth, but kind and humane usage may entitle them to call their own.

August 5. A letter from London, dated June 2, says, "we are in daily expectation of a war with Spain, for which as great preparations are making as ever were seen in this country. The pretended excuse on the part of Spain, is the navigation of the South seas; but the real one, there is no doubt, is to create a war, in hopes of the chance of reinstating the French monarch, and preventing the rage for liberty spreading to Spain. Our first attack, it is expected, will be on South America. We are anxious to learn what part the united States of America may take: the event cannot fail of being very interesting to them."

August 6. A letter from New York, dated July the 29th, says: "This day the house completed the funding bill, by agreeing to the amendments of the senate—the assumption of twenty-one million five hundred thousand dollars of state debts being included—four million for Massachusetts.

"Paper is to be received in the loan, at the following rate, viz. two-thirds of the principal of the various kinds of continental debts at an interest of six per cent.—the other third in ten years at the same rate—the interest and indents at three per cent.—old continental, considered as principal, at one hundred for one—state securities, the principal and interest added, one third of which to bear interest at three per cent.—one third of the remaining two thirds on interest after ten years—the remaining two thirds on interest at six per cent. The first quarter's interest on continental paper, to be paid the last of March next—on state paper, the March following. And where the amount of subscriptions, in state paper, may exceed the sum to be assumed in any state, the subscribers are to receive a proportion only."

A letter from Falmouth, dated June 11, to a gentleman in this city, says, "Every thing remains at present in the most uncertain state, in regard to a war between this country and Spain. It is probable, should the wind be contrary for a day or two, that we may know how things will be: and as the packet sails from hence, we may give you as early intelligence as any person. We shall therefore keep this letter open until the very moment the packet is going to sail.

"P. S. From the advices received this evening from London, war seems inevitable with Spain, in which France most probably will join, notwithstanding the resolutions of the national assembly; as it is said they are making very large purchases of stores, &c. every where. The parliament is to be dissolved this day, which will put every one in the kingdom in a bustle, and seems to be a prelude to war."

August 9. The British house of commons, May 14, agreed to allow the family of Penn, and their heirs, four thousand pounds sterling, annually, for their loss by the late war. The estimated loss was five hundred thousand pounds.

A letter from Baltimore, dated Aug. 4, says, "I yesterday saw the captain of an English ship, from Barcelona. He passed Gibraltar on the 7th of June, in company with seven sail of Spanish line of battle ships, coming round from Carthage to Cadiz: no insult or molestation was offered; from which it is certain, that no hostilities had then taken place, whatever may be the case at last."

A letter from New York, dated Aug. 6, says: "Last evening a ship arrived

in this port, in forty-six days from Gibraltar. Nothing decisive, respecting a war, had been received there on the 20th June: but great preparations were making."

August 10. A letter from Bristol, dated 2d June, says, "There is a corn bill before the house of commons, by which it is intended to lay a duty of one shilling per barrel on flour, when the port is considered to be open; that is, when the price of wheat is at or above six shillings per bushel. It is expected that this bill will pass."

A letter received from an American gentleman of well known talents, and great observation, now in England, dated 29th April, 1790, says, "The reputation of those who compose and administer our national government, begins to make a deep impression on the European public opinion: and the particular circumstances, in which the northern powers of Europe are now involved, by the intemperate ambition of the court of Berlin, cannot fail to replenish the coffers both of our fellow citizens and of congress."

A letter from London, dated 9th of June, says: "An express has been received from the Spanish court, that they had agreed, to make satisfaction, and indemnify the owners of the British ships taken; and to negotiate on the other matters in dispute between the two nations."

We are also informed, that there is an arrival at Boston, from Havre-de-Grace, which brings intelligence fifteen days later than the packet; the purport of which, as it respects a Spanish war, is reported to be:

An amicable accommodation between the two courts, negotiated by the last messenger—on the principles of the Spaniards allowing an exclusive settlement to the English at Nootka sound—a full compensation for all the incidental expenses attending the preparatory armament—and the full payment of the Manilla ransom in the war 1759, by instalments; the whole to be liquidated in three years.

MARRIAGES.

NEW YORK. *In the capital.* Mr. George Gray, jun. of Philadelphia, to miss Brannon.

NEW JERSEY. *At New Brunswick.* Dr. John R. B. Rodgers to miss Susan R. Kearney. *At Burlington.* Mr. Thomas Douglass to miss Rebecca Myers.

MARYLAND. *Prince George's co.* Mr. William Cox to miss Webster.

NORTH CAROLINA. *At Wilmington.* Edward Jones, esq. to miss Mary Elizabeth Mallet.

DEATHS.

MASSACHUSETTS. *At Roxbury.* Capt. N. Patten.—*At Boston.* Mr. Rudolph Frederic Geyer, aged 80.—*At Hingham.* Mr. Elisha Leavit, aged 77.—*At Scituate.* Mrs. Esther Clapp, aged 72.—*At Rochester.* Mr. Thomas West, aged 82.

CONNECTICUT. *At Weathersfield.* Mr. Amasa Adams, aged 82. He has left behind 12 children—54 grand children—and 19 great grand children—besides nineteen descendants who died before him.

NEW YORK. *At Poughkeepsie,* Mr. Clear Everitt, aged 73.—*At Albany.* Mr. Nathan Van Verts, aged 124.

NEW JERSEY. His excellency governor Livingston.

PENNSYLVANIA. *In Philadelphia.* The lady of gen. Mifflin. Mr. Stephen Patchal. Mrs. Lucia Magaw. Alexander Johnson, esq. aged 81.—*At Græne park.* Col. Melcher, aged 41.

MARYLAND. *At Nottingham.* Miss Polly Bowie.—*In Baltimore.* Mrs. Elizabeth Griffith. Capt. Charles Ridgely, aged 58.

VIRGINIA. *In Winchester.* Mr. William Holliday.—*At Powhatan.* Col. Thomas Turpin, aged 83.

GEORGIA. *In Savannah.* Mr. Moses Cohen.

FOREIGN INTELLIGENCE.

Paris, June 21.

THE title of the king is now determined to be—emperor of the French.

The national assembly have abolished all the titles of marquis, count, and duke. The new president is not yet named; but le count de Mirabeau, to the surprise of many, had the greatest number of votes.

London, June 25. The Dutch Squadron, consisting of twelve ships of the line, under the command of an officer bearing a flag at the fore-top-mast head, has passed through the narrow seas, on their way to Portsmouth; these ships, in all probability, are by this time anchored at St. Helen's.

July 5. Wheat has risen by the last return above that of the twenty-first of June, two shillings in the quarter, and stands at two pounds fourteen shillings and eight-pence.

The present rise on wheat is in a great degree to be accounted for by the large contracts for the navy: there is, however, fortunately for the poor, a very favourable prospect of a beneficial harvest, by which, with importations likely to take place from America, there is good ground to hope for a reduction of the high price of the necessaries of life.

July 6. A letter from Vienna, dated June 3, says, "An extraordinary courier arrived here on the twenty-first inst. late in the evening, who was instantly introduced to the king. After his audience, a mournful silence throughout the palace ensued, which made it be presumed that some very unhappy news had been received: and the conjecture is but too well verified.

The prince de Saxe Cobourg had given orders to general Thurn to penetrate into Bulgaria, and to press the siege of Oxgetoim, so as to take that fort, if possible before the publication of the armistice.

The Austrians, to disperse the Ottoman troops, attacked them with the usual confidence of victory: but the Turks defended themselves with uncommon fury—broke the Austrian lines—and put them to flight. Seven hundred were left dead on the field, and nineteen hundred grievously wounded: and the general was obliged to raise the siege so precipitately, as to leave eighteen cannon behind him.

While the retreat was making, general Thurn was attacked by a janissary, who aimed a stroke at the general's head, with his sabre: but he was so happy as to parry it, and at the same time to kill his adversary: at the same instant, another janissary running to the assistance of his comrade, struck off the general's head, which was afterwards carried through the army on a pike. Two more general officers were killed, and the prince de Cobourg himself making a rapid though ineffectual march to the assistance of his detachment, the excessive heat and fatigue has brought on a dangerous illness, under which it is feared he will fall a victim."

July 10. The Swedes are pushing the war against the Russians with great ardour—and have been generally successful.

The demolition of the Bastille cost two hundred thousand livres: the materials sold have produced thirty-six thousand.

A severe action has taken place between the Austrians and Turks; which terminated in the defeat of the latter. The Austrians were commanded by general Spleny: the Turks rallied several times, but were finally driven off the field—the Austrians lost twenty-eight officers.

The king of Hungary has assembled an army of one hundred and fifty thousand men on the frontiers of Prussia.

Accounts from Leghorn mention, that the white and red cockade has been assumed by the people of that city—the churches broken open; great disorders prevailed, and many lives were lost. The tumult was appeased by the governor's sending off to the court of Vienna a statement of the demands of the people.

HUNGARY.

The political influenza of Europe pervades the provinces of this kingdom. They have resolved, in their popular assemblies, that the crown is elective.

And they have no objection to choose Leopold for their sovereign, provided—

“There be a triennial convocation of the states of the kingdom.

“That no laws be in force except such as are passed by the general convocation.

“And finally, that the standing army consist of national troops.”

July 11. The marquis de la Fayette has lately performed an act, which has deservedly acquired him popularity. He made a motion in the assembly, that the command of the national troops was too great a trust to be entirely vested in one person. The motion was adopted by that body. The marquis, therefore, so far from being appointed grand prevot, is not near so powerful a man as before. He now commands only a part of the national forces.

A strong democratic spirit has discovered itself in some late resolutions passed by the diet of Hungary—they have annihilated all distinction between the upper and lower house of assembly.

The congress, for a general pacification on the continent, is confidently said to be suddenly broken up; and the minister of the king of Prussia has returned to his court *re infecta*.

THE PRESENT STATE OF EUROPEAN POLITICS.

July 12. Russia and Sweden, the only two powers that have acted with any degree of vigour this campaign, appear on both sides as if contented with what they have done, and desirous now of taking breath.

The kings of Hungary and Prussia, like two prize-fighters, continue their menacing postures, but without a blow being struck on either side.

Turkey stands aloof, as if wishing for peace. The scattered strength of that unwieldy empire always ill adapts her for war: and the repugnance of her soldiery to discipline, with the blows she has lately received, qualify her still less for it.

Poland, not foreseeing as yet any great benefits from her new alliance with Prussia, and dreading the loss of Thorn and Dantzic, is now in doubt, whether she ought not to put herself under the protection of Russia.

France continues her deliberations in tranquility. If she has wit enough to keep out of the broils of her neighbours, the regulations of the national council may have the wished-for effect, and a new constitution be seen to arise, firmly founded on the broad basis of liberty.

The Liegeois seem in a fair of getting rid of their bishop, and forming a free constitution there.

The Brabanters are in a fair way of being obliged to truckle to the house of Austria. They may thank their priesthood and the aristocracy for this.

In the south of Europe, besides Avignon, some disturbances are said to have arisen, at Florence, and other parts of Italy, but of no consequence. The pope's territories are in the highest danger.

In respect to England and Spain, though the stocks still continue rather upon the rise, many, notwithstanding, are of opinion, that there will yet be a war. The sailing of the fleets on both sides seems to denounce it: and the smallest brush between them will effectually decide a question, which at present fills some of the best heads in the kingdom with doubt.

July 13. The Spaniards for several months past have been pouring troops into all their West India islands.

A large fleet of Spanish ships has lately been seen steering their course for Hispaniola.

The Spanish fleet is reported to be well manned, and in much greater force than was at first suspected.

July 17. Upwards of six thousand men are supposed to have been within these few days impressed into his majesty's royal navy; the grand fleet still remaining at Torbay, the seamen, it is expected, will be immediately put on board the different ships previous to their sailing. A completer British fleet never sailed from the English channel to meet its most powerful enemies.

On Tuesday evening, a special messenger arrived from Berlin, with dispatches for his Prussian majesty's envoy extraordinary to our court: and on Wednesday his excellency waited on the minister, and in his master's name, made a formal demand of the stipulated succours, agreeable to the treaty of defensive alliance existing between the two nations.

Ten ships of the line are said to be the aid required, to sail with all possible expedition for the Baltic, evidently with a view of awing the united fleets of Russia, and preventing a further discomfiture of the naval armaments under the command of the king of Sweden and the duke of Sudermania.

Whenever this event takes place, the Danish squadron will immediately put to sea, in support of their ally, the empress of Russia; and a general war must ensue.

This proceeding may be explained by the situation of the two contending powers, in the Baltic. The Swedish galleys and troops, under the command of the king of Sweden, are now anchored off Wyburg, the capital of Russian Finland: to this harbour, after the actions of the third and fourth of last month, the duke of Sudermania's fleet made sail, in order to support the galleys. With a view, however, of compelling them to a convention, the principal force of Russia, by land and sea, is collected to that spot.

July 20. The Irish parliament has voted two hundred thousand pounds, towards the present preparations for war.

The Old Bailey presented a scene yesterday, which, we hope, for the honour of human nature, will never be repeated. It was a father prosecuting his son, for robbing him.

The Austrian Netherlands still continue in their former state of confusion. Nothing but confiscation and imprisonment are going on among them, and every thing tending hastily to subject them again to the house of Austria.

The aqueduct at Fazely being now so nearly completed as to open the junction on Tuesday next, with the duke of Bridgewater's grand trunk, and the Birmingham, Coventry, and Oxford canals, Mr. Brindley's scheme seems at length fully accomplished. The ports of London, Bristol, Liverpool, and Hull, have thereby an inland communication; as likewise Birmingham, Manchester, Leeds and Sheffield. This must at all times be highly advantageous to the commercial interests of the kingdom at large, and more particularly so, whenever the ships in the coasting trade shall be in danger of being captured in time of war.

AMERICAN INTELLIGENCE.

Savannah, July 26. On the thirteenth or fourteenth inst. an express brought to his excellency the governor an account, that about twelve days before, as three Indians were hunting, on the north side of the river Oconee, two of them being in camp, two white men rode up, and, after some conversation with them, fired and killed one of them, and broke the arm of the other, besides otherwise wounding him: after which, they plundered the camp of the Indians, and took their guns, horses, kettles, about forty deer skins, &c. The Indians were three brothers, and nephews to a chief of the Cusitahs, who had been fired at some time before, it is supposed by the same men.

Winchester, August 10. Advices from the westward, mention, that four boats, go-

ing down the Ohio, were decoyed to shore by white men, the crews of which, with the boats, were unfortunately taken by a body of one hundred and thirty Indians, who were lying in ambush waiting their landing. One of the captives has since made his escape. The emigrators to that country cannot be too cautious in landing, or going near the banks of the river; as many have before suffered by such imprudent conduct.

Boston, August 11. It is with real pleasure we announce the safe arrival, in this port, on Monday last, of the ship *Columbia*, capt. Gray, from a voyage of adventure to the North West coast of America.

This ship, in company with the sloop *Washington*, sailed on the 30th September 1787, and in the year following, reached their place of destination—from whence the *Columbia* sailed with furs, which she disposed of in China, on her return home.

To messrs. Barrell, Brown, Bulfinch, Hatch, Darby, and Pintard, who planned the voyage, their country is indebted, for this experiment in a branch of commerce, before untried by Americans: and to their care in providing every necessary for the comfort and convenience of the crews, may, under heaven, be attributed the extraordinary degree of health which they have enjoyed; having lost but one man by sickness, since they sailed.

Their country is also under obligation to the intrepid navigators who have conducted this voyage—whose urbanity and civility have secured the friendship of the aboriginals of the country they visited; and whose honour and intrepidity have commanded the protection and respect of the European lords of the soil, to the American flag; while that of another hath been forbidden to be unfurled on the coast.

The *Columbia* and *Washington* are the first American vessels which have circumnavigated the globe—and the *Washington*, which is only of ninety tons burden, is the first sloop of any nation ever sent so great a voyage.

We are told, that one of the natives of the island of *Owhyhee*, arrived in the *Columbia*.

August 12. Saturday last, arrived here, captain Holland, in a brig, in nineteen days from Cape Francois. By him we learn, that a body of volunteers, to the number of five hundred, had embarked on board a frigate, and sailed for St. Mark's, in order, as it was reported, to prevent the meeting of the assembly at that place.

Sept. 2. In the city of Newhaven, in sixty families, there have been raised the present season, no less than four hundred and forty-two thousand silk worms. In the family of Mr. Abraham Thompson, sixty thousand of the above number were raised; and it was with much satisfaction in perusing the names of the persons who raised these valuable and industrious animals, we saw that several young ladies have turned their attention thereto—one of whom, Miss Betty Sherman, actually raised this season twelve thousand—and one young lady, from twelve hundred cocoons, or silk balls, reeled eight ounces of the best silk.

Sept. 4. It is no wonder, says a correspondent, that congress is so greatly trduced as it is, in the papers; for there are almost fifty new candidates for federal representatives. Now only fifty lines from each of these a week, would fill all the papers, and oust, perhaps, the present members. The price is too low not to be offered; and if the people permit them to effect their purpose, they will laughing their sleeves at the public credulity.

New York, August 12. Congressional electioneering is carried on with great spirit, in several of the states: the merits of the candidates are emblazoned to the public eye—doubtless by their friends; every error of the present congress is pointed out with the finger of patriotism: and with infallible *prescience* it is now clearly seen how every difficulty might have been avoided: and if the blessed principle of rotation be attended to, A NEW SET, profiting by the mistakes of the OLD, will guide the political ship to UNIVERSAL approbation—

Two years in an exalted station,
 Point out th' importance of rotation ;
 In this the public safety's found,
 To keep elections whirling round ;
 You may believe US when we swear,
 We'll suit the people TO A HAIR :
 So wise—so firm—such friends to freedom—
 Our virtues—Lord, how much you need 'em !

A letter from Philadelphia, dated August 10, says : " Some of the blessings, anticipated in the removal of congress to this place, are already beginning to take effect. Rents of houses have already risen ; and I fear will continue to rise in a shameful proportion. Even in the outskirts of the city, rents have lately been increased from fourteen, sixteen, and eighteen pounds, to twenty-five, twenty-eight, and thirty. This is oppressive. Our markets, it is expected, will also be dearer than heretofore. Whether the advantages, we shall enjoy in the removal of congress, will be equivalent to these disadvantages to the inhabitants, time alone will determine. I am convinced, however, if things go on in this manner, a very great majority of our citizens will have good reason to wish them well settled at Conogochegue, long before our *ten years* are expired."

Aug. 14. Yesterday the treaty of peace and friendship, between the united states and the Creek nation, was solemnly ratified by the contracting parties in federal-hall in presence of a large assembly of citizens—the vice-president of the united states—the great officers of state—his excellency the governor—and the several members of both houses of congress.

At twelve o'clock the president of the united states, and his suit—general Knox, the commissioner—the clerks of the department of the secretary of war—colonel M'Gillivray, and the kings, chiefs, and warriors of the Creek nation being assembled, the treaty was read by the secretary of the president of the united states.

The president then addressed colonel M'Gillivray, the kings, chiefs, and warriors. He said that he thought the treaty just and equal ; and stated the mutual duties of the contracting parties ; which address was communicated, sentence after sentence, by mr. Cornell, sworn interpreter ; to all of which the Creeks gave an audible assent.

The president then signed the treaty—after which he presented a string of beads as a token of perpetual peace—and a paper of tobacco to smoke, in remembrance of it. Mr. M'Gillivray rose, made a short reply to the president, and received the tokens.

This was succeeded by the shake of peace, every one of the Creeks passing this friendly salute with the president : a song of peace concluded this highly-interesting, solemn, and dignified transaction.

August 18. The lottery mania appears to rage with uncommon violence. It is said there are nearly twenty lotteries now on foot in the different states. The sale of tickets has been uncommonly rapid. Lotteries have been formed, published, the tickets sold, and drawn in the course of ten or fifteen days.

Aug. 19. On Monday last arrived here from Havre de Grace (in old France,) the schooner Union. This vessel has brought a considerable number of French emigrants, with a view to purchase lands, and settle, in this or some of the neighbouring states.

Sept. 8. The treasurer of the united states has given notice, that purchases pursuant to the " act making provision for the reduction of the public debt," will, for the present, be made in the city of New York, commencing the fourth instant : proposals, sealed, accompanied with the certificates, which must be of the present debt of the united states, including indents, are received by the treasurer : the certificates, excepting those issued by the register of the treasury, and indents, to be registered before payment will be made.

Sept. 15. We hear from New Jersey, that the assembly of that state have passed a law against such persons, as shall be found travelling the public high roads on the sabbath day; with some exceptions in favour of those who can make it appear, they are on their way to church, unless the church be a greater distance than six miles from the place of residence: in which case, the person apprehended, is subject to a fine, and to be obliged to return either to his home, or to the meeting-house within the legal limits.

Baltimore, Sept. 14. On the nineteenth of June, monsieur Hoydon, a celebrated artist, presented to the national assembly of France, the busts of those distinguished patriots, Washington and Franklin. The members of that body were much pleased with this mark of his respect, and appointed the president to express to him their satisfaction.

A letter from London, dated July 1st, says: "The British fleet sailed yesterday, from Portsmouth, under the command of admiral Barrington. I fancy their object is, to prevent the junction of the French and Spanish fleets. War is not yet declared, though I think it unavoidable. The British fleet consists of twenty-two sail of the line, and will be joined by twelve Dutch ships of the line. The impress is still very hot: two of my men were impressed, whom with great difficulty I got off."

Philad. Aug. 14. A letter from Barbadoes, dated July 20, says: "The *Serpent* sloop of war arrived here this morning, from England in twenty-eight days—she has on board five thousand stand of arms, one hundred and twenty field pieces (six pounders) and fifteen thousand shot, all for Jamaica—she called here to deliver dispatches for the governor.—We are making preparations for the reception of five thousand men. There are now at work at the castle four hundred men: they are making an amazing fortification—we are waiting with great anxiety for the arrival of an express."

August 28. A mine of copper, which, from experiments made thereon, gives room to expect a valuable portion of gold, was begun to be worked upon the first of this inst. on the lands of Solomon Draper, Mecklenburg county, Virginia.

September 1. The appointment of judge Wilson to a law professorship in the college of Philadelphia, cannot fail of having a beneficial effect upon our city. It must invite young gentlemen from every part of the union, to begin and finish their studies in law in Philadelphia. We hear, that several other new professorships are talked of, to be instituted in the college: by which means every branch of science, taught in the European universities, will be taught among us, and thereby an expensive education in Europe will be avoided.—What equivalent can the most splendid accomplishments acquired abroad, be to a young man, for the loss of his republican manners or principles?

September 3. During the year 1789, twenty-three sail of American vessels arrived at the Isle of France, six hundred miles eastward of the cape of Good Hope: of these, sixteen were from Boston and Salem, two from Maryland, and the rest from Rhode Island, Connecticut and Philadelphia.

On Wednesday last, arrived in this port, a sloop from Albany with forty hogheads of maple sugar, the property of William Cooper, esq.—the whole of it manufactured on the waters of the Susquehannah.

The arrival of this cargo of American sugar in Philadelphia, has excited surprise and pleasure in all classes of our citizens. This sugar has been pronounced by good judges to be superior to any of the same quality, made in the West Indies: and it can be sold at a less price. It has, moreover, other things in its favour to recommend it in preference to the sugar, which is imported from the West India islands. It is made by the hands of freemen, and at a season of the year, when not a single insect exists to mix with it, and pollute it: whereas the West India sugar is the product of the unwilling labour of negro slaves, and

made in a climate and in a season of the year, in which insects of all kinds abound, all of which feed upon and mix with the sugar; so that the best West India sugar may be looked upon as a composition, consisting of the juice of the cane—and of the juices or excretions of ants—pismires—cockroaches—borers—fleas—mosquitoes—spiders—bugs—grasshoppers—flies—lizards, and twenty other West India insects. To these ingredients is added the sweat of the negroes, and, when they are angry, nobody knows what else.

Sept. 8. On Thursday last, the president of the united states, and his family, arrived here from New York. At a short distance from town, they were met by the city and county troops of light horse, captain Fisher's company of artillery, and the light infantry, who escorted them to the city tavern, where a most superb entertainment was provided by order of the corporation. On this pleasing occasion, the bells of Christ church were rung; an united states' salute was fired, and in the evening there was a display of fire-works.

The members of our state legislature and convention were also invited, and partook of the entertainment.

The same day the convention went in procession to the court house in Market street, caused the new constitution to be read and proclaimed, returned to the state house, and then dissolved themselves.

A letter from London, dated June 23, says: "What great events have we lived to see? France has caught the sacred flame of liberty from America, and is following her example. We thought that France had been a country of slaves, with characters and dispositions enervated and debased by a cringing subjection to their haughty monarch: but we were mistaken.—FRANKLIN the American is dead, and the national assembly go into mourning for him three days. But he has left many Franklins behind him in France, a Barnave, a Robertspierre, a Fretau, a Menou, a Volney, a Branzat, a Reynault, a Lameth, and many others. The SCHOLAR of WASHINGTON too commands the army. They appear to act with great wisdom in forming a new constitution—May their endeavours be crowned with success."

Sept. 9. A letter from a captain of a vessel, at Port au Prince, dated August 3, says, "On the thirty first of July, I arrived here. I have landed my horses, but cannot sell one—nor a barrel of any provision; by reason of the disturbances in this place; which happened two days before my arrival. The soldiers and inhabitants had a skirmish, in which about twenty were killed and wounded on both sides—near three hundred of the first families have removed into the country: and most of the stores are shut up—merchants the greatest part decline doing business; so that all appears melancholy. The lieutenant of a seventy-four gun ship has run off with her, and left the captain (who was the commodore of this harbour) on shore; where she is gone, cannot be ascertained at present. The general's proclamation came out last evening, requesting the inhabitants to return, and he will protect them.

Sept. 13. By a vessel from Bilbao we have letters from messrs. Gardoquies, dated the twenty-first of July, which say, that the dispute between Spain and Great Britain was settled, and that a peace might be depended upon.

Sept. 16. A letter from Charleston mentions, that this summer has been more uniformly hot in that city, than has been recollected for a number of years past; the thermometer having seldom been lower than eighty degrees, and frequently above ninety.

A letter from Chambersburg, dated September 2, says: "Several persons, lately from the Ohio country, inform, that great preparations are making by the immediate direction of governor St. Clair, for a formidable expedition in the Indian country. The forces, it is said, will consist of five hundred militia from the frontier counties of this state, and one thousand from Kentucke, to be supported by

a detachment of continental troops—the whole to rendezvous about ten miles below Wheelen some time in the beginning of this month. Whether this force be designed to cover some negotiation with the Indians in that quarter, or to commence hostilities against them, is not yet certainly known: but the latter is expected, and hoped for by the inhabitants on the western waters.

MARRIAGES.

MASSACHUSETTS. *At Roxbury.* Capt. Allbee to miss Bugbee.

NEW JERSEY. *At Rochelle.* Samuel Bayard, esq. to miss Patty Pintard.

PENNSYLVANIA. *In Philadelphia.* Mr. James H. Stewart to miss Maria Garrigues. Mr. Ferris to miss Parrish. Mr. Joseph Smith to miss Sewall.

DEATHS.

NEW HAMPSHIRE. *At Amherst.* The hon. Moses Nichols.—*At Cornish.* Mr. Samuel Clare, aged 62.—*At Portsmouth.* Mrs. Hannah Gerrish, aged 70.

MASSACHUSETTS. *In Boston.* Mr. Ichabod Jones, aged 73. *At Andover.* Samuel Philips, esq. aged 76. *At Littleton.* Mrs Sarah Edes. *At Hingham.* Mrs. Mary Thaxter, aged 66.

RHODE ISLAND. *At Portsmouth.* Mr. Joseph Curdell, aged 52.

NEW YORK. *In the capital.* Mrs. Elizabeth Lawrence.—*At Hudson.* Mr. James Mocklar, aged 70.

NEW JERSEY. Near Trenton. Hon. David Brearly, esq. *In Salem county.* Andrew Sinnickson, esq. aged 73.

PENNSYLVANIA. *In Philadelphia.* Mr. John Baine, aged 77. Rev. Casparus Weiberg, and in six days afterwards, his daughter, miss Salome Weiberg. Dr. Gerardus Clarkson.

MARYLAND. *In Frederic co.* Mr. William Winchester, aged 80. *At Elkton.* Mr. John Murray.

SOUTH CAROLINA. *In Charleston.* Mrs. Jane Cox.

APPOINTMENTS.

The president of the united states, by and with the advice and consent of the senate, has been pleased to nominate and appoint the following officers, viz.

William Perry, of the state of Delaware, one of the judges in the territory of the united states, south of the river Ohio.

John Stokes, judge of the North Carolina district, vice, William R. Davie, declined.

Samuel Ruffel Gerry, collector of the port of Marblehead, vice, Richard Harris deceased.

Zachariah Rhodes, surveyor of the port of Patuxet, vice, John Anthony Aborn, declined.

Thomas Arnold, surveyor of the port of East Greenwich, vice, Job Comstock, declined.

Joshua Johnson, of Maryland, consul of the united states of America for the port of London.

Daniel Eldridge Updike, surveyor of the port of North Kingston, Rhode Island.

John Street, of Fyal, vice consul of the united states for the island of Fyal.

Ebenezer Brush, of New York, consul of the united states, for the port of Surinam.

William Irvine, John Taylor Gilman, and John Kean, commissioners for settling the accounts between the united states and individual states.

David Benezet, sen. collector for the port of Great Harbour, in the state of New Jersey.

London, Aug. 12. The people of Dublin intend to raise a statue, in their royal exchange, to the memory of Alfred, who first founded juries, and established the liberty of the subject. On the front is to be this inscription :

In memory of
ALFRED THE GREAT,
 WHO
INSTITUTED JURIES,
ESTABLISHED A MILITIA,
Created and exerted a naval force :
A PHILOSOPHER,
A CHRISTIAN,
 THE FATHER OF HIS PEOPLE,
 AND THE
FOUNDER OF LIBERTY.

Aug. 17. The marching of the Austrians through France—and twenty thousand Sardinian troops now hovering on the confines of that kingdom—the fears of the national assembly, and their inconsiderate conduct in permitting the troops of their queen's brother to enter their territories—the arming of the Spaniards—the perilous state of the Netherlands—all present such a crisis as fills the mind with awe, and leaves room for the boldest speculations, with respect to their consequences.

Aug. 23. When the last news came from Brussels, the town was a scene of anarchy and apprehension. It is thought that Vander Noot, and the junto that compose his party, will soon fly the country : and the next letters will probably bring us the further information, that several of the provinces are preparing to send a deputation to Vienna, with an acknowledgment of king Leopold as their lawful sovereign.

We have already seen, that the Austrian troops have made considerable progress in recovering the country, by force ; that the revolution is no longer countenanced, either openly or secretly, by Prussia or Holland ; and that the people, as is usual, whenever they are oppressed, hating their present masters more than their former, are very generally disposed to facilitate the progress of the Austrians.

August 24. Admiral lord Howe is certainly under orders to proceed on a cruise with part, if not the whole, of the Torbay fleet : hence we may fairly infer, that the equipment of this noble squadron was not solely directed against Spain ; but it may probably be called into action before the close of summer, to give a different turn to the politics of the north.

The press was generally what is called hot on the river yesterday evening. The oldest watermen do not know what to make of this business—they say, “ that a peaceful negotiation looks like a preparation for war.”

The last letters from Berlin announce, in positive terms, that a separate peace is accomplished between Leopold and the Turks ; but they say that war between Prussia and the empress is inevitable ; for with an obstinacy which cannot be subdued, the empress has declared that she never will abandon a single possession she has acquired from the Ottoman, till a complete renunciation is made by him of the Crimea and its immediate dependencies.

Articles of convention between Prussia and Austria, signed at Reichenbach, in Silesia, on the evening of the 27th of July.

I. Austria renounces its alliance with Russia.

II. Austria concludes a separate peace with the Turks, and renounces all its conquests made during the war. It shall, however, retain its ancient provinces of Galacia and Ludemeria.

III. Should Austria be enabled to procure, by means of a friendly negotiation with the Turks, any exchange of territory, Prussia shall obtain from the court of Vienna, in order to preserve the balance of power, as many square miles of land belonging to the Austrian possessions in Upper-Silesia, as Austria shall obtain from the Turks on the side of the Aluta.

IV. The king of Prussia engages to give king Leopold his vote at the approaching election for the imperial throne—but under this express condition (*sine qua non*) that the emperor of the Romans shall never enter into alliance with Russia, in order that he may be enabled, as chief of the Germanic empire, to resist any attack which Russia might, at a future period, be induced to undertake against it.

V. Austria shall have full liberty to enforce obedience from its revolted subjects in the Netherlands, under condition that the king of Hungary restores to them all the privileges they enjoyed under the government of Maria Theresa. (This article is guaranteed by all the mediating powers.)

VI. The king of Prussia does not expect any compensation for the expenses of his warlike preparations, nor does he enforce his claim to the territory of Thorn and Dantzic.

VII. Should Russia persist in carrying on war against the Porte and Sweden, and the latter power demand assistance of Prussia, according to the subsisting treaties, his Prussian majesty shall have full liberty to accede to these demands, and the court of Vienna shall not interfere in the dispute.

Advice has been received through different channels, that the English and Spanish fleets were in sight of each other on Saturday last. The consequence of their interview is impatiently expected by all ranks of people.

We learn, that among other resolutions of the French cabinet, a general embargo has been laid on all shipping, evidently with a view, among other purposes, of manning their fleet.

Aug. 31. Saturday night's gazette bears a strong implication, that the resolution of France to support the family-compact will make the Spaniards feel bold, and that they will not accede to the just demands of Great Britain, until they are compelled; otherwise a continuation of the bounty to seamen, and a prohibition against exporting arms and ammunition, would not have been necessary.

Sept. 1. There are now in commission no less than sixty-four ships of the line, besides several others, that, in all probability, will be on the list in a few days.

Great Britain has, at this moment, forty-six sail of the line, ready for actual service. Lord Howe has thirty-one line of battle ships with him: six sail of the line are in the Downs, and orders have been sent to Portsmouth for the nine ships now at Spithead to sail thither immediately. The fleet in the Downs will then consist of the following ships: Royal Sovereign, of one hundred and ten guns; Wind-for-castle, ninety-eight; Canada, Swiftsure, Vanguard, Captain, Elephant, Bellerophon, Robust, and Monarch, of seventy-four; Alfred, Scipio, Ardent, Lion, and Aña, of sixty-four; and Assistance, of fifty.

The younger Mirabeau has sent his resignation of continuing any longer a member of the national assembly. He says that this is the first step he has thought fit to take, on quitting a country where the rights of mankind are trampled on, private property invaded, monarchy subverted, and religion despised.

The voyage of a Dutch squadron to Portsmouth had this advantage, that it shewed to the world the readiness of the states-general to fulfil their treaty with Great Britain. The mere display of a Dutch fleet at Spithead was a proof to Spain, that they would abide by their treaty.

The states of Poland have ordered their ambassador at Constantinople not only to negotiate a treaty of alliance and commerce with the Porte as soon as possible, but to sign it, conformably to his instructions, without referring to them again.

In order to appease the discontents of the people at Vienna, another string of articles, signed at Reichenbach, is handed about there, which mention, that Austria is to have Turkish Croatia, to the borders of Unna and Wallachia, as far as the Aluta, with an indemnification besides, of eighteen millions of piastres. On the other hand, the king of Hungary shall not oppose the Prussian's taking possession of Dantzic and Thorn, provided the latter guarantee the Low Countries to the Austrian government.

M. de St. Priest's memorial, stating the chateaux, parks and domains, which the French king wishes to preserve for his occasional residence and pleasure, has given much dissatisfaction, and will hardly be complied with. The article of the Ecclesiastical property found within these domains is, by the public opinion, declared inadmissible, being in contradiction to the decrees relative to the right and disposition of that property throughout the kingdom. Were the request of the memorial granted in toto, the king's private revenue would be augmented in the sum of fifty millions per annum.

Of the fifteen houses and parks asked for in this memorial, it is probable that twelve will be knocked down by the hammer, and the produce converted to the national use.

The French minister has received very authoritative instructions on the intention of his court in respect to the dispute of England with Spain: they are grounded on the resolutions of the national assembly: where on Thursday last, it was agitated and determined, that the reinforcement of their navy should be increased, from the number lately voted, up to forty five ships of the line; and that from the reports of the secret committee, on the policy and justice of adhering to the conditions of the family compact, the support of that treaty was a measure they should keep in view.—The following is the decree on this subject:

The national assembly, deliberating upon the formal proposition of the king, contained in the letter of his minister, on the 1st of August, decrees—

1st. That the king shall be prayed to make known to his catholic majesty, that the French nation, in taking all the measures necessary to maintain peace, will observe the defensive and commercial engagements which his government has contracted with Spain.

2d. Decrees, moreover, that the king shall be prayed immediately to charge the ambassador from France to Spain, to negotiate with the ministers of his catholic majesty, for the purpose of strengthening, by a national treaty, the ties and connexions useful to the two nations, and to fix with clearness and precision, all the stipulations which shall not be entirely conformable to the view of a general peace, and to the principles of justice, which will ever be the policy of France.

3d. The national assembly, taking into consideration the armaments of the different nations of Europe, their progressive augmentation, the safety of the colonies, and of commerce, decrees, that the king shall be prayed to give the necessary orders, that the squadrons in commission may be augmented to forty-five ships of the line, with a proportionate number of frigates and small vessels.

Dublin, August 26. The volunteer standard still attracts numbers of the most respectable and spirited citizens. The goldsmiths' corps particularly, though already the most numerous, receives considerable increase at every meeting. It is a fact, that upwards of one hundred men have been admitted within the last four weeks.—The number of the liberty volunteers, too, is increasing in proportion.

Paris Aug. 10. A society of printers, of this city, lately assembled in the hall of the Cordeliers, to celebrate a funeral *fête* to the memory of Benjamin Franklin. On a column in the middle of the hall was placed the bust of that great man, bearing a civic crown. Underneath appeared a printing press, and other implements of the art, he so much honoured and cultivated. While an apprentice was pronouncing the eulogy of Franklin, the press-men and others were occupied in

printing and distributing copies of it to a numerous body of citizens, who honoured this interesting ceremony with their presence.

AMERICAN INTELLIGENCE.

Dominica, Sept. 10. Last Sunday arrived here a small vessel from Martinique with upwards of fifty refugees on board, some of the most respectable characters and connexions in that island. Their flight has been occasioned by another change in the order of things there. This is said to be the fifth revolution in the government of that island, in the course of a few months.

The governor, monf. Damas, was confined to the limits of Fort Royal, when the vessel came away; and it is since reported, that he has escaped to Grenada, from whence he is preparing for his immediate departure for France; as is also a government brig now in this harbour. All the government vessels in that island were ordered to depart immediately, on the inhabitants getting possession of the forts. This new change has fortunately been effected without that scene of bloodshed and massacre, which that island has so often experienced since the commencement of the French revolution.

New York Oct. 8. List of Americans in slavery at Algiers, Sept. 19, 1790.
Communicated by mr. Spillar.

Captain James Coffin (since dead) and William Folger his mate, belonging to Nantucket; captain Jeremiah O'Brian, and James Elliot his mate, belonging to Philadelphia; captain Job Stevens, belonging to Concord, Massachusetts. Mariners belonging to different parts of America: Israel Jones, John Moriarty, George Johnston, Patrick Mulligan, William Patterfon, Joseph Johnston, William Smith, Joshua Green, William Jackson, James Tyler, George Murphy, James Shehan, William Ball, James Allen, William Hyde.

October 13. The last purchase of public securities made by the treasurer of the united states, was on the 4th instant:—Final settlements at twelve shillings and six pence, and indents seven shillings and two pence.

A letter from a gentleman on the Ohio, dated August 4, 1790, says: "The gentlemen I mentioned to you in my last, are now forming themselves into a company, for the purpose of building three vessels of force, mounting from twenty-four to forty twenty-four pounders, completely manned and equipped; they propose to freight them with tobacco, flour, &c. and proceed to sea by the Gulph of Mexico, with a full determination, to punish, severely, every insult which, in violation of treaties, may be offered to the American flag, sailing down the Mississippi—It is generally supposed, that they will embark between twelve and fifteen hundred men, in order to assert America's undoubted right to the navigation of the Mississippi."

The medical society, of the state of New York, have published a plan of a dispensary for the medical relief of the poor sick people of that city; and the members thereof have offered their services to carry it into effect.

October 21. Great discontents have taken place in Georgia, in consequence of the treaty concluded in this city last summer, between the united states and the Creek Indians. A company is now formed in that state, called the Combined society, who have drawn up, and subscribed a number of articles, to carry into effect a plan for promoting migration, and settling the vacant territory of Georgia. This tract of country is described as lying south of the river Oconee, bounded by a line running from the head or source of the Apalachee river in a direct line to the head of Flint river; thence down Flint river to its confluence with the Chattahooche; thence in a direct line to the head (or source) of St. Mary's river; thence up the river Oconee to the place of beginning. The whole tract is estimated to include about eight millions of acres, which were set apart by the ge-

neral assembly of Georgia in August, 1787, for accommodating their late state troops. The Combined society have agreed to purchase the above described tract of the state of Georgia. On the 12d. ultimo, the following toasts were drank by the members of the Combined society, at the town of Washington, in Georgia.

1. A speedy change to the measures lately adopted in the commissioner's closet.
2. May Georgia possess virtue and firmness to assert her constitutional rights against all attempts to infringe them.
3. May every freeman prefer an honourable death rather than be tributary to, or commanded by the Red hero.
4. Deliberation to all future national councils.
5. May every sister state condole with Georgia on the loss of her darling territory, and each reflect it may be her turn next.
6. May the general emancipation of slaves not speedily follow the consolidation of accounts.
7. May every man who shall dare to overleap the sacred bounds of the constitution, meet with a reward as infamous as the act.
8. May private disputes and party differences subside, when the united wisdom and firmness of the state are necessary for the redress of grievances.
9. Success to all honest purchasers.
10. May our next legislature know the true interest of the state, and act on a liberal scale.
11. May our next legislature state facts, and remonstrate in a manner that will be characteristic of their virtue, perseverance and integrity.
12. May the friends of the treaty with the Creeks either retract, or suffer the most ignominious annihilation.

13. May the citizens of Georgia, as they ought, despise the Knoxonian plan. The toasts being drank, three cheers were given, which were re-echoed out of doors, and the society broke up in good order.

Baltimore, Oct. 5. The culture of tobacco, in Virginia, is obviously on the decline, and the real necessities of life have begun to be an object with the farmers of that state. Twenty years ago, sixty thousand hogheads of tobacco were exported from Virginia; but, at present, the only exports forty thousand hogheads---the Carolinas and Georgia sharing with her in this trade.

Albany, Sept. 20. On the fourteenth inst. on the farm of Mr. J. Vrooman, at Hermitage, from a vine of peas, the production of a single pea, were collected three hundred and two pods, and two hundred and twenty blossoms. The increase more than a thousand fold!

Burlington, Oct. 5. There is a person now living at Taconey, seven miles from Philadelphia, of the name of Robert Gilan, by trade a shoemaker, of the great age of one hundred and twelve years next christmas, who now follows his trade. When he was thirty-seven years of age, he went from Scotland, the place of his nativity, to see the coronation of king George the first. It is said, he retains his eye-sight, so as to be able to read the smallest print.

Winchester, Sept. 29. Some travellers, who arrived yesterday from Kentucky, report---that about the fourth of this month two waggons were plundered, and the drivers thereof murdered, by a party of Indians on the Limestone road, about four miles from Blue lick.

Boston, Oct. 15. We are informed that the census of Philadelphia is completed, and that the city is found to contain fifty-three thousand inhabitants.

October 19. The commissioners of New York and Vermont have amicably adjusted the important business of their mission: the result is, that Vermont is dismembered from the state of New York, and the New Hampshire grants, so called, are acknowledged to be valid. Thus the way is open for the admission of Vermont into the federal union.

Danbury, October 7. We hear, that a small party of the Indian inhabitants of Kentucke, some time in August last, crossed the Ohio river below the falls, and marched forty miles up the Indian shore, where they fell in with a party, whom they attacked and defeated, taking twenty-five prisoners, fifteen of whom proved to be white people. They are all safely lodged in jail.

Philadelphia, Oct. 16. Yesterday a large French ship arrived here from Havre de Grace, with eighty-one passengers, who are going to occupy a considerable tract in Kentucke.

Oct. 26. We hear that the offices belonging to the treasury department will be opened in this city this week.

We can from good authority assert, that the national cockade is universally worn in Ireland. It is presented to all travellers, and extremely dangerous to refuse wearing the patriotic ornament. The people all exclaim against the politics of Mr. Pitt: and it is generally apprehended, that without a removal of the two first judges, and the appointment of a new viceroy, tranquillity can never be restored in that distracted country.

Oct. 27. The national assembly of France have passed a decree, to have a monument erected, with the stones of the Bastile, to the memory of Dr. FRANKLIN.

A letter from Dublin, dated Aug. 13, says: "When last I wrote to you, this city was exceedingly convulsed, by an attempt of the ministerial phalanx, to impose a chief magistrate on us, against our *inclinations* and *charters*. But we have demonstrated to the world, that we are not to be dictated to by any petty tyrants or ministerial junto, and that we will not be taught to misconstrue the law, by great law-quibblers, let them be raised to ever so elevated a station, by accident or arrogance.

"Another matter has occurred since I had the pleasure of writing to you, which has given a fatal blow to arbitrary judges, both in England and Ireland—the trial of the proprietor of the Phenix (a news-paper in Dublin) for a libel. A virtuous jury, in direct opposition to the opinion of that great law luminary, Lord Mansfield, and the positive charge of the then presiding judge, refused to find truth a libel, or, in other words, truth a lie."

October 28. On Tuesday arrived the ship Grange, Captain Roberts, from Liverpool, which she left on the eighth of September, when the preparations for war still continued—a very hot press—ships putting into commission: and the fleets of England and Spain were at sea; but it was impossible to decide as to the event.

Extract of a letter from Mr. Gardequi to a merchant in this town.

"*Bilboa, September 4.*

"Our rumours of war with England increase daily, by the French having confirmed, in their general assembly, the family compact, and in consequence thereof, ordered fifty ships of the line to be armed with all speed, so as to join our naval force, which is actually at sea. They are also arming very fast in England: and part of their fleet is out. What all these preparations will come to at last, is morally impossible to guess."

MARRIAGES.

MASSACHUSETTS. *In Boston.* Mr. Jacob Kuhn to Miss Hannah Frost. Mr. John Clarke to Miss Sally Davis. Mr. John Baxter to Miss Betty Marshall. Rev. W. Shaw to Miss Nancy Beckley. *At Springfield.* Mr. Andrew Cotton to Mrs. Lydia White.

CONNECTICUT. *In Norwich.* Mr. Beriah Bill to Miss Elizabeth Stroud.

NEW YORK. *In the capital.* Hon. Philip Livingston to Miss Cornelia Van Horne. Mr. Stephen Coles to Miss Laurence. Virgil Gray, esq. to Miss Betty Richards. Mr. Jacob de Murray to Miss Maria Moore. Mr. James Bailey to

miss Catharine Brinckerhoff. *At Oyster Bay.* Mr. William Jones to miss Kezi-ah Youngs.

NEW JERSEY. *In Salem.* Isaac Osgood, esq. to miss Sally Pickman. *At Cranbury.* Mr. Henry Harrison, aged 75, to miss Kitty Shaw, not 19!!! *In New Brunswick.* Mr. James Richmond to miss Sarah Weiser. *At Burlington.* Mr. Jackson Brown French, to miss Kitty Lawrence.

PENNSYLVANIA. *In Philadelphia.* Captain John Elwood to miss Rebecca Garrigues. Nicholas Baker Waters, M.D. to miss Hetty Rittenhouse. Capt. James Miles to miss Rebecca Holton.

MARYLAND. *In Baltimore.* Jesse Hollingsworth, esq. to mrs. Rachel Parkin. *At Fell's point.* Captain John Stran to miss Rebecca Johnson. *In Frederick-town.* Mr. John Usher Charlton to miss Eliza Beatty.

VIRGINIA. *In Petersburg.* Robert Bolling, esq. to miss Catharine Heth. *In Alexandria.* Mr. George Clementson to miss Jane Sanford. *In Richmond.* Mr. William Allen to miss Jane Seaton.

SOUTH CAROLINA. *In Charleston.* Mr. Jacinto Metz to miss Clarissa Barrere. Mr. Humphrey Courtney to miss Elizabeth Courtney.

DEATHS.

NEW HAMPSHIRE. *At Portsmouth.* Mr. James Goddard.

MASSACHUSETTS. *In Boston.* Mr. Benjamin Burdick, aged 85. Mrs. Mary Sloan, aged 50. Mr. Rebecca Burroughs, aged 74. Mrs. Elizabeth Hayden. Mr. Abijah Hammond, aged 59. *At Cambridge.* Miss Mary Wyeth. *At Barnstable.* Miss Sukey Hinkley. *In Salem.* Mr. David Foster. Mr. Benjamin Lander. Mr. Richard Downing. Mr. Odell, aged 99. *At Lynn.* Miss Content Collins, aged 22. Miss Nancy Breed, aged 20.

CONNECTICUT. *At Danbury.* Mr. Silas Hamilton, aged 77. *At Newhaven.* Mrs. M. Sabin, aged 68. Mr. Edward Meloy, aged 56. *At Milford.* Mr. Jonathan Law, aged 75. *At Bozrah.* Mrs. Lois Tracy, aged 61. *At Stonington.* Dr. Dudley Woodbridge, aged 86. *At East Windsor.* Mr. Nathaniel Sherman. *At Litchfield.* Mr. John Tryon. *At Hartford.* Mr. J. Nichols, aged 33.

NEW YORK. *In the capital.* Mrs. Maria Williamson. Mr. James Brown.

PENNSYLVANIA. *In Philadelphia.* Mr. John Boyd, mrs. Margaret Lamb, Mr. Abel James. *At Carlisle.* Lieut. Joseph Collier.

MARYLAND. *In Baltimore.* Capt. James M'Tudon.

VIRGINIA. *In Richmond.* Mr. Serafino Formicola.

NORTH CAROLINA. *At Newbern.* The rev. Patrick Cleary, D. D. Miss Polly Stone. Mr. William Hobday.

SOUTH CAROLINA. *In Charleston.* John Deas, esq. mrs. Mary Templett, Mr. Ballentine, Mr. Richard Ath, mons. Romain, Mr. Henry Sals, Mr. George Rois, Mr. John Maitland, miss Mary Gladows, aged 86, mrs. Elizabeth Harleston, capt. Wm. Elliot, Dr. Robert Wharry.

GEORGIA. *At Savannah.* Capt. Cubbage.

At Martinique. Viscount Ponteves Gien.

In Edinburgh. Adam Smith, esq. L. L. D. & F. R. S.

Returns of the late election in New Jersey.

BERGIN. *Council.* Peter Haring.—*Assembly.* Isaac Nicoll, John Benson, — Kingland. MORRIS. *Council.* William Woodhull.—*Assembly.* Ellis Cook, Aaron Kitchel, Jacob Arnold. ESSEX. *Council.* John Conduitt.—*Assembly.* Jonathan Dayton, Abraham Ogden, Jonas Wade. MIDDLESEX. *Council.* Samuel Randolph.—*Assembly.* Thomas M'Dowel, Peter Vredenburg, John Runyon. SOMERSET. *Council.* Frederick Frelinghuysen.—*Assembly.* —Robert Stockton, Peter D. Vroom, James Linn. HUNTERDON. *Council.* John Lambert.—*Assembly.* Thomas Lowry, John Anderson, Robert Taylor. MONMOUTH. *Council.* Eliha Lawrence.—*Assembly.* Thomas Little, Joseph

Stillwell, John Imlay. CUMBERLAND. *Council.* Samuel Ogden.—*Assembly.* John Burgin, Ebenezer Elmer, Richard Wood, jun. SUSSEX. *Council.* Robert Hoops.—*Assembly.* John Rutherford, Robert Ogden, Aaron Hankin-
son. GLOUCESTER. *Council.* Joseph Ellis.—*Assembly.* Joseph Cooper,
Thomas Clark, Samuel Hugg. SALEM. *Council.* John Mayhew.—*Assembly.*
Benjamin Cripps, John Smith, Samuel Sharp.

The following gentlemen are elected members of the house of delegates of Maryland for the ensuing general Assembly, viz.

Calvert—Joseph Wilkinson, Thomas Gantt, jun. Levin Mackall, and Peregrine Freeland, esqrs. *Charles*—William Craik, John H. Stone, George Dent, and John Parnham, esqrs. *Worcester*—Peter Chaille, Benjamin Dennis, Thomas Martin, and John Holland, esqrs.—*Frederick*—Jacob Gomer, Thomas Beatty, Mountjoy Bayly, and John M'Pherfon, esqrs. *Caroline*—William Robertson, Henry Downes, Joseph Douglass, and Philip Walker, esqrs. *Washington*—Adam Ott, Nathaniel Rochester, John Cellers, and Lancelot Jacques, jun. esqrs. *Allegheny*—Thomas Beall of Samuel, John Tumlinson, John Simkins, and Daniel Cres-
sep, jun. esqrs. *Talbot*—Hugh Sherwood, of Huntington, David Kerr, James Tilghman of James, and John Hughes, esqrs.

Returns of the last election in this state.

Governor—His excellency Thomas Mifflin, esq.

Senators : for *Philadelphia city, and Philadelphia and Delaware counties*—Richard Peters, John Sellars, and Samuel Powel :—*Chester county*—Richard Thomas :—*Lindsey Coats* :—*Bucks*—Thomas Jenks :—*Lancaster and York*—Michael Smyser, Sebastian Graff, and Adam Hubly :—*Northampton*—Robert Brown :—*Berks* : Joseph Heister—*Dauphin* : John Gloninger—*Cumberland and Mifflin* : Thomas Kennedy—*Northumberland, Luzerne, and Huntingdon* : William Montgomery—*Bedford and Franklin* : Abraham Smith—*Westmoreland and Allegany* : Richard Butler—*Washington and Fayette* : John Smilie, John Hoge.

Representatives : for the city of *Philadelphia* : Jacob Hiltzheimer, Lawrence Seckel, William Bingham, Francis Gurney, Richard Wells. *Philadelphia county* : Thomas Britton, Thomas Paul, Elias Boys, Isaac Warner, Blair M'Clenachan. *Delaware county* : Hugh Lloyd, Richard Riley. *Chester* : Richard Downing, jun. Caleb James, John M'Dowell, James Boyd. *Montgomery* : Benjamin Markly, Jonathan Roberts, James Vaux, C. Evans, jun. *Bucks* : Gerardus Wynkoop, John Chapman, James Bryan, Ralph Stover. *Lancaster* : James Cunningham, William Webb, Abraham Carpenter, Joseph Work, Jacob Erb, John Breckbil. *York* : Joseph Read, Philip Gardiner, Henry Tyson, William M'Pherfon, John Stewart, Thomas Lilly. *Northampton* : Jacob Everly, jun. Anthony Lerch, jun. Thomas Mawhorter, John Mulhallon. *Berks* : John Ludwig, Nicholas Lutz, James Collins, Gabriel Heister, Daniel Clymer. *Franklin* : James M'Lean, James Johnston. *Northumberland* : Samuel Macclay, John White. *Luzerne* : O. Gore. *Dauphin* : Jacob Miley, John Carson, James M'Creight. *Bedford* : Abraham Cable, Jacob Saylor. *Westmoreland* : William Findley, John Beard. *Washington* : John Minor, Matthew Ritchie, James Allison, Thomas Ryerson. *Fayette* : James Findley, Albert Gallatin. *Huntingdon* : David Stewart. *Allegheny* : John Neville. *Mifflin* : John Oliver.

Rome, August 7.

SOME Frenchmen are arrested almost every day in this metropolis. The order extends to every rank, strangers, priests, or heretics; they are immediately conducted to the frontiers, and wished a good voyage, after being first strictly enjoined to appear no more in the pope's dominions.

London, September 11.

The letters received yesterday from persons of the best information and authority in Paris, give us the strongest reason to believe, that an insurrection is at no great distance. The executive power is ineffectual, from the party disputes that prevail among the members of it—and the rabble seem only to watch a favourable moment, to attempt the lives of several of the most distinguished public characters.

Some letters, indeed, were received yesterday, dated after the dispatch of the mail, which assert, that a riot had been begun, and that the national guards had been repulsed; but we have not learned the particulars of the affair, in such a manner as to be able to report them correctly. But the fermentation was general.

The cry of the mob is, "cut off the heads of the ministers in general." It is expected that they will all resign.

Sept. 14. A counter-revolution in France is daily looked for by the aristocratic party, who now begin to demonstrate their confidence, by levelling the most marked contempt and derision against the national assembly. Our advices further add, that the prince de Condé has at this time not less than 20,000 men in daily pay, whom he can muster in the course of twelve hours.

Particulars of the late fire at Madrid.

THIS dreadful fire that has been burning upwards of ten days, nearly destroyed Place Mayor, one of the handsomest squares of the capital, and the most filled with tradesmen's shops: a third part of it, with a row of houses of an adjacent street, upwards of eighty in all, have already fallen a prey to the flames; which the public prayers, many soldiers and workmen, with a small engine, and several squirts have not been able to extinguish.

According to a decree of the national assembly of France, all parliamentary functions of the chambers of vacation were to cease the 30th of Sept. in the provinces, and the 15th of October at Paris. About that time the new justices and district judges were to be chosen by the same electors who have the appointment of district assemblies. The same electors were likewise to elect bishops and curates. Thus we have seen in the course of one year, a complete regeneration of an immense empire: twelve large provinces divided into eighty-five departments—each department into districts—each district into parishes; a progressive representation from the smallest village to the whole empire; a large body of nobles levelled with the citizens; some hundred thousand monks restored to the community; hereditary judges replaced by elected justices; the road to honour and preferments opened to all ranks, to all religions; a domineering soldiery taught to obey the civil magistrate. Whatever may be the defects of individual members of the national assembly, we are at a loss to find in history a body of men, who have displayed more courage, more firmness, more wisdom, and who in a shorter space of time have done greater things, than the assembly of France.

Candour obliges us to say, however, that notwithstanding the great perseverance and assiduity of the national assembly, the country is far from being in a state of tranquillity. The enemies of liberty are too numerous and too daring, not to excite commotions, which, though distressing for the imme-

diates sufferers, are far from being prejudicial to that system which they wish to destroy. From the beginning of the revolution to this day, every attempt of the opposite party has been not only unsuccessful but ruinous for them. While we deplore their blindness, we sincerely wish, that they may not wound the feelings of a patriotic and virtuous king, by pretended counter-revolutions—such an attempt would ruin forever an ancient and respectable nobility, which is still dear to their country, though they are deprived of the empty sound of titles, which, like the names of Peter and John, have of late seldom conveyed a higher opinion of the man, to the ear of a Frenchman. Families are, and will be always respected, if, by an imprudent exertion, they do not forfeit the affection of their countrymen. We acknowledge, that they may bring on a civil war—a war which must annihilate them: but we deny the practicability of a counter revolution. Separate attempts, indeed, are made in several parts of the kingdom, but they always terminate in the destruction of the ringleaders. The most remarkable is the late commotion at Nancy, where the Swiss regiment of Chateaufvieux, misled by false insinuations, had taken arms against the commander, the marquis de Bouille, a man distinguished by his conduct in the West Indies, during the late war. Supported by some citizens, the rebellious regiment actually attempted to defend the city against the approaching militia, commanded by M. de Bouille, who had given previous notice of his expedition, to the national assembly. The militia having forced one of the gates, a great slaughter ensued, in which about three hundred men were killed on both sides: but M. de Bouille proving ultimately victorious, the prisoners were committed to a court martial of their own countrymen (the Swiss) who condemned every seventh man to be hanged, and sixty-four of the rest to the galleys. During the conflict, an officer of the king's regiment, perceiving that the Swiss intended to fire a cannon, on the militia, placed himself before the mouth of the cannon, devoting himself to a glorious death to save his fellow citizens. The conduct of M. de Bouille was highly approved of by the king and assembly: but the disaffected party embraced with eagerness this opportunity to misrepresent the conduct of the general and ministers: they inflamed the people of Paris to such a degree, as to render it necessary for Mr. de la Fayette, to reinforce the guards of the national assembly and of the ministers. It was said that the militia and the regiment had been sacrificed to the secret views of M. de Bouille, who, after having butchered those who were evidently attached to the constitution, would find it very easy afterwards to bring on a counter-revolution. Aspersions of this kind, however, have but a momentary effect at Paris; and the commotions which they excite, have so little influence in the assembly, that whilst the mob assailed the house, they continued the whole day to deliberate coolly on the cession of Avignon. Nothing has yet been able to break the undaunted spirit of that patriotic body. Smaller commotions of regiments at Lille, and in other places, hardly deserve to be mentioned, having been stopped immediately by the new created power of the civil magistrate—a power which is daily strengthened by the fruitless struggles of a soldiery, unaccustomed to the controul of civil law.

The king having been at St. Cloud about six weeks, it can be no more asserted by the enemies of the constitution, that his actions are not free. He continues to co-operate with the national assembly in the most essential points of their proceedings; for their decrees cannot be executed but under his authority. In his name M. de Montmorin has informed the assembly, that every necessary measure has been taken to support the family compact. Thus in the earliest period of the French regeneration, the future political

connexions of the kingdom will be defined, and the edifice gradually completed in all its parts.

The declining health of Mr. Neckar has at last induced him to depart: but being unable to settle his accounts, he left that business to M. Dufresne, and set out with his lady about the ninth of September. He was stopped by the militia of Arey, a small town in Champaign, who refused to let him proceed without leave of the national assembly. Mr. Neckar wrote in consequence thereof to the assembly, who, after some debate, ordered the municipalty of Arey to suffer him to depart. It must be confessed, that notwithstanding the superior talents, integrity, and perseverance of this great man, he was deficient in prudence, by exposing his authority in matters that did not belong to his province. By supporting the rights of the nobles against the opinion of the king's council, he lost the favour of the people, without acquiring the friendship and good will of the nobles, who consider him as the principal author of the revolution. Too often he presumed to give his advice when it was not asked: and, by opposing the torrent of public opinion, he injured his health and popularity. It is to be wished, however, that Mr. Neckar may soon be able to resume his business, and endear himself to his fellow-citizens by new exertions of patriotism.

Sept. 21. Accounts from Brussels, as late as September 1st, mention an engagement between the patriotic army and the Austrians, in which the Austrian general Blechem had been killed, besides 153 of their men, and 54 taken prisoners. The Austrians, however, in their turn, have taken a whole battery at Andonnes from the patriotic troops. Other accounts say, that in this engagement the Austrians lost 300 men.

The estimate of the loss at the late fire at Madrid, is now reported to be near five millions sterling. Some of the finest houses in that city have fallen a sacrifice to the flames.

The Austrian army is actually on a march to Brabant: and the national guards of France, alarmed by the prints, are thronging to the frontier, to prevent any inroad into the kingdom, which is believed, without probability, to be their design. A man who has made such a peace as Leopold, can hardly be suspected of a wish to interfere with his neighbours: 49,417 effective men compose the Austrian army upon march, as delivered to the war minister at Paris.

The Belgic nation is now in such a state as to excite the sympathy of every friend to human nature. The waste of blood is at all times a dreadful prospect: but its horrors are aggravated, when the contest is hopeless and ineffectual.

The emperor of Morocco has declared war against Spain, on which account three regiments have been embarked at Cadiz, to defend the Spanish coasts most likely to be attacked by these barbarians.

The number of the killed and wounded, on both sides, in the late mutiny at Nancy, is stated in a private letter, received by yesterday's mail, at upwards of 1600.

The coronation of the emperor is fixed for the 4th of October at Frankfurt, being the same day on which, in the year 1743, the emperor Francis was crowned.

By recent accounts from Holland, we are informed, that owing to the great decline of the Dutch commerce, the agio of the bank of Amsterdam has fallen to less than one per cent. above par.

September 28. Every post confirms the intelligence, that the peace between Russia and Sweden was concluded without the intervention of Prussia or England. The empress has not only detached Sweden from the

in Massachusetts, who has been justly styled the American Baskerville, is now engaged in printing two editions of the bible—one the large royal quarto bible—the other a large folio, with fifty copperplates:—a patriotic, laudable, and arduous undertaking, deserving the patronage and encouragement of every friend to his country, the sciences, and religion. Mr. Dobson, of this city, is also publishing an American edition of the Encyclopedia, or dictionary of arts, sciences, and miscellaneous literature. Two volumes of this work are finished: it will comprise sixteen volumes.

THE HARVEST,

Throughout the united states, the latter, as well as the former, has rewarded the toil of the husbandman, with a rich abundance, both for man and beast. Pomona has not been less profuse of her favours, than Ceres of hers: and the great plenty of that federal beverage, cider, will, we, hope, by rendering the use of that antifederal liquor, rum, less excusable, make it less common.

VERMONT.

The state of New York, by a public decree, signed by six commissioners, has at length consented, "that the community, now actually exercising independent jurisdiction, as the state of Vermont, be admitted into the united states of America; and that, immediately from such admission, all claim of the state of New York, to jurisdiction within the state of Vermont, shall cease." There are some conditions annexed, respecting the New York grants, &c. which, without doubt, Vermont will accede to, and thereby add, to use a favourite figure, another star to the federal constellation.

THE WESTERN POSTS—

Those barriers of the united states—are still retained by the British; and, we are told, have lately been strengthened by additional fortifications and troops—that of Niagara in particular—the half-pay officers therein have been put on the full-pay establishment: and there appears not the smallest prospect, that Great Britain will ever peaceably relinquish those strong holds, which nature, and treaties, made "in the name of the most holy and undivided Trinity," have given to the united states. It is said, "some constant good attends on ill:" and some believe our having the jealous Spaniard on our southern, and the aspiring Briton on our northern and western borders, are circumstances in which will be found as much good as evil. "It will," say they, "prevent that indolence and inactivity, which extensive empire and security of possession often introduce. It will teach us, that although we ought not to attack, we ought ever to be ready to defend; and that our territory is so extensive, that it needs no addition." Plausible as these remarks may seem, the united states must appear pusillanimous in the eyes of nations, if they suffer their rightful territory to be hostilely retained by a foreign power.

A letter from New York says, I was this day informed that the secretary of the treasury has negotiated a loan in Holland for nearly two millions of dollars, pursuant to the late act of congress, on advantageous terms.

The negotiation of a loan with the wary Hollanders, on favourable terms, strongly indicates that the funds of the united states are considered in Europe as an eligible depositum of property.

A letter from Virginia, dated October 17, says "Crops of tobacco and wheat, as well as corn, are very abundant, all of which are incomparably low to what they were last year: tobacco, best James-river, may be had for 17s. and 18s.—wheat per bushel, weighing 60 wt. at 4s. 6d. and 6s.—and all other commodities low in proportion."

Nov. 11. The legislature of Vermont have passed an act for calling a state convention, to meet at Bennington on the first Tuesday of January next, to take into consideration, and, if approved, to ratify, the constitution of the united states.

This day is to be observed as a day of public thanksgiving throughout the State of Connecticut. And,

Thursday the 25th inst. is set apart for the same religious purpose in the State of Vermont.

A letter from Hispaniola mentions: "There are arrived here, from the Ohio country, by the way of the Mississippi, near one thousand barrels of flour, made in that country. What avenues of commerce, will you Americans not explore?"

November 22. Extract from the journal of the house of delegates of Virginia.

Resolved, that it is the opinion of this committee, that so much of the act of congress, entitled "An act making provision for the debt of the united states," as assumes the payment of the state debts, is repugnant to the constitution of the united states, as it goes to the exercise of a power not expressly granted to the general government.

Resolved, that it is the opinion of this committee, that so much of the act entitled "An act making provision for the debt of the united states," as limits the right of the united states in their redemption of the public debt, is dangerous to the rights, and subversive of the interest, of the people, and demands the marked disapprobation of the general assembly.

Resolve, that it is the opinion of this committee, that an act of the united states, entitled "An act making provision for the payment of certain debts of the united states," so far as the same pledges the faith of the united states, and appropriates funds for the payment of certain debts, due by the several states in the union, will, in its operation, be highly injurious to those states, which have, by persevering and strenuous exertions, redeemed a considerable portion of the debt, incurred by them, during the late war; and will particularly produce great injury to this state; because a large proportion of the debt, then contracted by this commonwealth, having been already redeemed, by the collection of heavy taxes, levied on its citizens,—and measures having been taken, for the gradual payment of the balance, so as to afford the most certain prospect of extinguishing the whole, at a period not very distant,—the commonwealth will, by the operation of the aforesaid act, be involved for the payment of debts, contracted by other states, which either have not paid any part thereof themselves, or have reduced them but in a small proportion, compared with the payments, made by this state: by means whereof, a heavy debt will be entailed on this state, which never can be extinguished by all its efforts, whilst any part of the debts, contracted by any state in the American union, and so assumed, shall remain unpaid.

MARRIED.

VERMONT.—At Bennington. Mr. Sam. Webster to miss Lavinia Hopkins.

MASSACHUSETTS.—In Boston. Mr. John Roulstone to miss Dolly Smith. Mr. Samuel Clap to miss Deziiah Lamb. Mr. Robert Wyer to miss Lucretia Tuckerman. Mr. R. Robertson to miss P. Pringle. Mr. S. Robertson to miss Betsey Robertson. Mr. Joseph Alexander to miss Nabby Weare.—At Salem. Mr. Nathan Read to miss Betsey Jeffry.—At Pittsfield. Mr. Darius Larned to miss Eunice Marsh.—At Marlborough. Mr. Burrell Devereux to miss Sarah Grubb. Capt. Richard Skinner to miss Eleanor Glover.—At Concord. Mr. W. Farnum to miss Emerson.—At Lenox. Mr. William Hollister to miss Orra Willard.—At Tisbury. Mr. Benjamin Allen to miss Nabby Morse. Capt. Samuel Dagget to miss Rebecca Dagget.—At Andover. Mr. Jonathan Porter to miss Phebe Abbot.—At Roxbury. Mr. Thomas Brewer to miss Hannah Carneau.—At Gloucester. Mr. John G. Rogers to miss Mercy Rogers.—At Lancaster. Mr. William Stedman to miss Almey Ellery.

CONNECTICUT.—At Middletown. Mr. Thomas Leverett to miss Sauey Johnson.

RHODE ISLAND.—At South Kingdon. Eliska R. Porter, esq. to miss Mary Perkins.

NEW YORK.—In the capital. Isaac Telford, esq. to miss Alice M. Duncomb. Mr. Henry Hamman to the widow Douty. Mr. Nicholas G. Carner to miss Eliza Horsfield. Capt. Nathaniel Tylee to miss Mary Sticklen. Mr. Thomas Streatfield Clarkson to miss Eliza Van Horne. Daniel C. Verplanck, esq. to miss Nancy Walton. Mr. George Hughes to miss Peggy Snooke. Mr. Prosper Wetmore to miss Catharine M'Euen. Mr. Joseph Inglis to miss Maria Pintard.—At Albany. Mr. Joseph Driesbach to miss Eliza Van Guyfeling.—At Goshen. The rev. Simon Hoffack to miss Kitty Kerr.

PENNSYLVANIA.—In Philadelphia. Dr. John Porter to miss Jane Dowers.—At Wayneborough. William Richardson Atlee, esq. to miss Wayne.—Near Bristol. Capt. John Angus to miss Cross.—In Franklin county. Dr. William Magaw to miss M'Dowell.

MARYLAND.—In Baltimore. Mr. J. J. Grosjean to miss Polly Trickle. Mr. Wm. Bail to miss Betsey Dukehart.—In Hartford county. Mr. James Amos to miss Hannah Lee.—At Georgetown. Mr. Thomas Plater to miss Patty Ligan.—In Baltimore county. Benjamin Lowndes, esq. to miss Polly Buchanan. Mr. Joseph Dooley to miss Rebecca Ferguson.

VIRGINIA.—At Richmond. Mr. Nelson Berkeley to miss Polly Barrett.

SOUTH CAROLINA.—In Charleston. Mr. Jeremiah Condy to miss Elizabeth Hall Doughty. Mr. James Rivers Maxwell to miss Harriet Rowland. Mr. George Morris to miss Martha Singletary.

D I E D.

NEW HAMPSHIRE.—At Rochester. Mr. Edward Tebbets, aged 88.—At Dover. Jonathan Wentworth, esq.—At Candia. Rev. Jesse Remington.

MASSACHUSETTS.—At Dunstable. Cyrus Baldwin, esq.—At Dedham. Mr. Breck Velt De Harine.—At Norton. Deacon Benjamin Copeland, aged 84.—At Boston. Hon. James Bowdoin, esq. Mrs. Mary Proctor, aged 44. Mrs. Lydia Parker, aged 36. Mr. Thomas Campbell. Mrs. Mary Voax, aged 46. Mrs. Mary Ann Jones, aged 76.—At Salem. Miss Abigail Gray. Mr. Jonathan Neal.—At Worcester. Mr. John Mahan.

CONNECTICUT.—At East Hartford. Mr. John Abbe, aged 109.

NEW YORK.—In the capital. Mrs. Butler. Miss Mary Ann Allen. Mr. Thomas Poole, aged 48. Mr. Wm. Hauxhurst, aged 87. Mrs. Elizabeth Ludlow. Roderic Williamson.—At the Hermitage. Mr. Samuel Norton.

NEW JERSEY.—At New Brunswick. The rev. Jacob R. Hardenberg, D. D.—At Woodbury. Mrs. Elizabeth E. Mickle.—In Burlington. Mr. William Briggs.

PENNSYLVANIA.—In Philadelphia. Mrs. Hannah Zane. Mr. Jonathan Price, aged 86. Miss Sally Mifflin Talbot. Mr. Vaux.—In Cumberland Co. Mrs. Jean Hammon.—In York Co. The rev. Samuel Dougal.

DELAWARE.—Near St. George's. Hon. John Thompson, aged 61.—At Dover. Dyer Carney, esq.

MARYLAND.—In Charles Co. Mrs. Dorothy Brent, aged 32. Mrs. Mary Kandall M'Pherson, aged 30.—At Baltimore. Mr. Thomas H. Hammond, aged 21. Mrs. Anne Burnedon.—At Georgetown. Joseph Wilson, esq. aged 62.—In St. Mary's Co. Miss Mary Ne le Chefeldine, aged 20.

VIRGINIA.—In Petersburg. Mr. Wm. Timberlake.—At Richmond. Mr. John Richardson. Mr. Philip Southall.

NORTH CAROLINA.—At Wilmington. Capt. Thomas Dean.—At Fayetteville. Hon. John Stokes, esq.—At Hillsborough. Mr. Hooper.

FOREIGN INTELLIGENCE.

London, October 15.

AUTHENTIC accounts from Warsaw, dated the 22d ult. mention a decisive engagement having taken place between the Russian and Turkish fleets, near Tendroo and Codgia Bay, on the 9th preceding: there was an obstinate fight of six hours; at the end of which the Turks fled, leaving the Russians masters of the sea.

The following order was taken by the national assembly, on the bold protest of the parliament of Toulouse against their proceedings. *October 9, 1790.*

"On the report of the committee on the constitution, the national assembly decrees, That the members of the heretofore-court of parliament of Toulouse, who passed the resolves of the 25th and 26th of September last, shall be impeached before a tribunal, forthwith to be established, to take cognizance of high treason against the nation. And, considering the nature of the charges against them, furthermore decrees, That the king shall be intreated to give the necessary orders for apprehending all the persons concerned in said protests."

A request has been made by the inhabitants of Louisiana—a district of South America, belonging to the crown of Spain, to be taken under the protection and to receive the benefit of the laws of the national assembly of France.

The first 400,000,000 of assignats, issued by the French national assembly, bore an interest of five per cent. *October 8,* the assembly decreed that the interest should cease, after the 11th of that month. Some call this an *ex post facto* law. *November 6.*

Copy of a letter received by the lord mayor of London, from the duke of Leeds.

I have the honour to acquaint your lordship, that the messenger Dreshin arrived here this morning, with dispatches from Mr. Fitzherbert, ambassador at the court of Madrid, dated Sunday 24th October, containing an account, that a convention for terminating the differences which had arisen with that court, had been agreed upon, between his excellency, on the part of his majesty, and the count de Florida Blanca, on the part of the catholic king; and that the convention was to be signed, and exchanged by those ministers, the 27th of the same month.

London, 4th November.

LEEDS.

AMERICAN INTELLIGENCE.

Charleston, Nov. 25.

A gentleman, who came to this city a few days since, reports that carnage and depredation have again advanced, to desolate the frontiers of Georgia, a barbarous murder having been committed by a party of the Creeks, on a respectable citizen: they assassinated him by night in his house, which they pillaged: and stole four horses. They were pursued by a number of inhabitants, who penetrated into their country: the savages then assembled, and the whites were obliged to retreat in turn; and one man received a wound from the Indians.

The assembly of Georgia is now in session; and we hear that the treaty made by the congress of the united states, with the Creek Indians, occupies their most serious deliberations. It is supposed, that they will pass a supplementary act, establishing more clearly the reciprocity, which they conceive omitted in that convention: for a white man cannot without a passport travel into the Indian country, nor even pass the boundary line: while the Indians can and do make extensive excursions through every part of the state of Georgia.

Boston, Dec. 15. We have it from good authority, that oil is admitted in England in American bottoms, which is one of the many advantages that may

accrue to this country, from a war between England and Spain. We give this information, that those who plough the ocean, to obtain oil, may reap the advantage, as it is probable, the alien duty may be taken off likewise.

Philadelphia, Dec. 4. The loaf sugar made from the maple sugar, and now exposed for sale by messrs. Edward and Isaac Pennington, has been pronounced by impartial judges to be equal to any loaf sugar that ever was made from the West India sugar cane.

We hear that the glass manufactory in Boston, is now in such forwardness, that the article of glass will probably be made in great quantities in that town the ensuing winter.

Dec. 5. The militia army, infantry, and cavalry of Massachusetts, all armed for war, consists of 75,000 men.

The militia of New Hampshire is said to be in a high degree of discipline—and its cavalry to be the most numerous and respectable in the union.

Dec. 6. From a Georgia paper, of the 21st of October, we have extracted the following:—These are to give notice, that, from and after the first day of October next ensuing, no person will be admitted into the Creek nations, unless he be furnished with a passport from the governor of the state, or commandant of the fort or district in which he or they reside. And no person will be permitted to trade or traffic in the nations, without having first obtained a license for that purpose, from the president of the united states, or the superintendent of Indian affairs.——Given under my hand, &c.

ALEXANDER M'GILLIVRAY,

Chief and superintendent of the Creek nations.

Dec. 7. Acts have been passed by the legislature of New Jersey, for building bridges over the Raritan, Passaic, and Hackinsack rivers.

We hear that the legislature of Virginia have voted the sum of 110,000 dollars towards defraying the expense of erecting the public buildings for the use of congress, on the Patowmac; and the legislature of Maryland a farther sum of 70,000 dollars for the same purpose.

An act for establishing a bank in the town of Baltimore, to be called the bank of Maryland, has passed the legislature of that state. In pursuance of which a subscription has been opened, and filled for three hundred thousand dollars—in shares of three hundred dollars each.

A Charleston paper mentions an orphan house having been lately instituted in that city, which already contains sixty-three orphan children, clothed, maintained, and educated on its bounty.

Dec. 8. This day the president of the united states addressed both houses of congress, in the senate chamber, in the following terms:—

Fellow citizens of the senate, and house of representatives,

IN meeting you again, I feel much satisfaction in being able to repeat my congratulations on the favourable prospects which continue to distinguish our public affairs. The abundant fruits of another year have blessed our country with plenty, and with the means of a flourishing commerce. The progress of public credit is witnessed by a considerable rise of American stock abroad, as well as at home: and the revenues, allotted for this and other national purposes, have been productive beyond the calculations by which they were regulated: this latter circumstance is the more pleasing, as it is not only a proof of the fertility of our resources, but as it assures us of a further increase of the national respectability and credit—and, let me add, as it bears an honourable testimony to the patriotism and integrity of the mercantile and marine part of our citizens. The punctuality of the former in discharging their engagements, has been exemplary.

In conforming to the powers vested in me, by acts of the last session, a

loan of three millions of florins, towards which some provisional measures had previously taken place, has been completed in Holland; as well the celerity with which it has been filled, as the nature of the term (considering the more than ordinary demand for borrowing, created by the situation of Europe) give a reasonable hope that the further execution of those powers may proceed with advantage and success. The secretary of the treasury has my directions to communicate such further particulars, as may be requisite for more precise information.

Since your last sessions, I have received communications, by which it appears, that the district of Kentucky, at present a part of Virginia, has concurred in certain propositions, contained in a law of that state; in consequence of which the district is to become a distinct member of the union, in case the requisite sanction of congress be added; for this sanction application is now made. I shall cause the papers on this very important transaction to be laid before you. The liberality and harmony, with which it has been conducted, will be found to do great honour to both the parties: and the sentiments of warm attachment to the union and its present government, expressed by our fellow citizens of Kentucky, cannot fail to add an affectionate concern for their particular welfare, to the great national impressions under which you will decide on the case submitted to you.

It has been heretofore known to congress, that frequent incursions have been made on our frontier settlements, by certain banditti of Indians from the north west side of the Ohio: these, with some of the tribes dwelling on and near the Wabash, have of late been particularly active in their depredations—and, being emboldened by the impunity of their crimes, and aided by such parts of the neighbouring tribes, as could be seduced to join in their hostilities, or afford them a retreat for their prisoners and plunder, they have, instead of listening to the humane invitations and overtures, made on the part of the united states, renewed their violences with fresh alacrity and greater effect. The lives of a number of valuable citizens have thus been sacrificed, and some of them under circumstances peculiarly shocking; whilst others have been carried into a deplorable captivity.

These aggravated provocations rendered it essential to the safety of the western settlements, that the aggressors should be made sensible, that the government of the union is not less capable of punishing their crimes, than it is disposed to respect their rights, and reward their attachments. As this object could not be effected, by defensive measures, it became necessary to put in force the act which empowers the president to call out the militia for the protection of the frontiers. And I have accordingly authorised an expedition, in which the regular troops in that quarter are combined with such draughts of militia, as were deemed sufficient. The event of the measure is yet unknown to me. The secretary at war is desired to lay before you a statement of the information on which it is founded, as well as an estimate of the expense with which it will be attended.

The disturbed situation of Europe, and particularly the critical posture of the great maritime powers, whilst it ought to make us the more thankful for the general peace and security enjoyed by the united states, reminds us, at the same time, of the circumspection with which it becomes us to preserve these blessings. It requires also, that we should not overlook the tendency of a war, and even of preparations for a war, among the nations most concerned in active commerce with this country, to abridge the means, and thereby at least enhance the price of transporting its valuable productions to their proper markets. I recommend it to your serious reflexions, how far, and in what mode, it may be expedient to guard against embarrassments from these contingencies, by such encouragements to our navigation, as will render our commerce and agriculture,

less dependent on foreign bottoms, which may fail us in the very moment most interesting to both of these great objects. Our fisheries, and the transportation of our own produce, offer us abundant means for guarding ourselves against this evil.

Your attention seems to be not less due to that particular branch of our trade which belongs to the Mediterranean. So many circumstances unite, in rendering the present state of it distressful to us, that you will not think any deliberations misemployed, which may lead to its relief and protection.

The laws you have already passed, for the establishment of a judiciary system, have opened the doors of justice to all descriptions of persons. You will consider in your wisdom, whether improvements in that system may yet be made—and particularly whether a uniform process of execution, on sentences issuing from the federal courts, be not desirable through all the states.

The patronage of our commerce, of our merchants and seamen, has called for the appointment of consuls in foreign countries. It seems expedient to regulate by law the exercise of that jurisdiction, and those functions which are permitted them either by express convention, or by friendly indulgence, in the places of their residence. The consular convention, too, with his most christian majesty, has stipulated in certain cases the aid of the national authority to his consuls established here. Some legislative provision is requisite, to carry these stipulations into full effect.

The establishment of the militia, of a mint, of standards of weights and measures, of the post office and post-roads, are subjects which (I presume) you will resume of course, and which are abundantly urged by their own importance.

Gentlemen of the house of representatives,

THE sufficiency of the revenues you have established, for the objects to which they are appropriated, leaves no doubt, that the residuary provisions will be commensurate to the other objects, for which the public faith stands now pledged. Allow me, moreover, to hope, that it will be a favourite policy with you, not merely to secure a payment of the interest of the debt funded, but as far, and as fast, as the growing resources of the country will permit, to exonerate it of the principal itself. The appropriation you have made of the western lands, explains your dispositions on this subject: and I am persuaded the sooner that valuable fund can be made to contribute, along with other means, to the actual reduction of the public debt, the more salutary will the measure be, to every public interest, as well as the more satisfactory to our constituents.

Gentlemen of the senate, and house of representatives,

IN pursuing the various and weighty business of the present session, I indulge the feeblest persuasion, that your consultations will be equally marked with wisdom, and animated by the love of your country. In whatever belongs to my duty, you shall have all the co-operation which an undiminished zeal for its welfare can inspire. It will be happy for us both, and our best reward, if by a successful administration of our respective trusts, we can make the established government more and more instrumental in promoting the good of our fellow-citizens, and more and more the object of their attachment and confidence.

United States, Dec. 8, 1790.

G. WASHINGTON.

Answer of the house of representatives to the above address.

SIR,

THE representatives of the people of the united states have taken into consideration your address to the two houses, at the opening of the present session of congress.

We share in the satisfaction inspired by the prospects which continue to be so auspicious to our public affairs. The blessings, resulting from the smiles of heaven

on our agriculture—the rise of public credit, with the further advantages promised by it—and the fertility of resources, which are found so little burdensome to the community—fully authorize our mutual congratulations upon the present occasion. Nor can we learn, without an additional gratification, that the energy of the laws, for providing adequate revenues, have been so honourably seconded by those classes of citizens, whose patriotism and probity were more immediately concerned.

The success of the loan opened in Holland, under the disadvantages of the present moment, is the more important, as it not only denotes the confidence already placed in the united states—but as the effects of a judicious application to that aid will still farther illustrate the solidity of the foundation on which the public credit rests.

The preparatory steps, taken by the state of Virginia, in concert with the district of Kentucky, towards the erection of the latter into a distinct member of the union, exhibits a liberality mutually honourable to both parties. We shall bestow on this important subject the favourable consideration which it merits; and, with the national policy, which ought to govern our decision, shall not fail to mingle the affectionate sentiments which are awakened by those expressed in behalf of our fellow-citizens of Kentucky.

Whilst we regret the necessity which has produced offensive hostilities against some of the Indian tribes, north-west of the Ohio, we sympathize too much with our western brethren, not to behold with approbation, the watchfulness and vigour which have been exerted by the executive authority, for their protection; and which, we trust, will make the aggressors sensible, that it is their interest to merit, by a peaceable behaviour, the friendship and humanity which the united states are always ready to extend to them.

The encouragement of our own navigation has, at all times, appeared to us highly important. The point of view under which you have recommended it to us, is strongly enforced, by the actual state of things in Europe. It will be incumbent on us to consider in what mode our commerce and agriculture can be best relieved from an injurious dependence on the navigation of other nations, which the frequency of their wars, renders a too precarious resource for conveying the produce of our own country to market.

The present state of our trade in the Mediterranean seems not less to demand and will accordingly receive, the attention which you have recommended.

Having already concurred in establishing a judiciary system, which opens the doors of justice to all, without distinction of persons, it will be our disposition to incorporate every improvement which experience may suggest; and we shall consider in particular, how far the uniformity, which in other cases is found convenient in the administration of the general government, through all the states, may be introduced into the forms and rules of executing sentences issuing from the federal courts.

The proper regulation of the jurisdiction and functions which may be exercised by consuls of the united states in foreign countries, with the provisions stipulated to those of his most christian majesty established here, are subjects of too much consequence to the public interest and honour, not to partake of our deliberations.

We shall renew our attention to the establishment of the militia and other subjects unfinished at the last session, and shall proceed in them with all the dispatch which the magnitude of all, and the difficulty of some, of them will allow.

Nothing has given us more satisfaction than to find, that the revenues heretofore established, have proved adequate to the purposes to which they were allotted. In extending the provision to the residuary objects, it will be equally our care to secure sufficiency and punctuality, in the payments due from the

treasury of the united states. We shall also never lose sight of the policy of diminishing the public debt, as fast as the increase of the public resources will permit; and are particularly sensible of the many considerations, which press a resort to the auxiliary resources furnished by the public lands.

In pursuing every branch of the weighty business of the present session, it will be our constant study to direct our deliberations to the public welfare. Whatever our success may be, we can at least answer for the fervent love of our country, which ought to animate our endeavours. In your co-operation, we are sure of a resource, which fortifies our hopes, that the fruits of the established government will justify the confidence, which has been placed in it, and recommend it more and more to the affection and attachment of our fellow citizens.

[The answer of the senate, which was equally replete with patriotic and respectful sentiments, we are obliged to omit through want of room.]

Dec. 15. Yesterday, lieut. Denny arrived in this city with the following dispatches from gen. Harmar, addressed to the secretary at war.

S I R, *Head quarters, Fort Washington, Nov. 4, 1790.*

I HAVE the honour to inform you that on the 30th of September, I marched with 320 federal troops and 1133 militia—total 1453; after encountering a few difficulties we gained the Miami Village: it was abandoned before we entered it, which I was very sorry for. The villainous traders would have been a principal object of our attention. I beg leave to refer you to my orders, which are enclosed. The substance of the work is this, our loss was heavy: but the head quarters of iniquity were broken up—at a moderate computation, not less than 100, or 120 warriors were slain, and 300 log houses and wigwams burned. Our loss about 180. The remainder of the Indians will be ill off for sustenance—20,000 bushels of corn in the ears were consumed, burned and destroyed by the army, with vegetables in abundance. The loss of major Wylls and lieut. Frothingham, of the federal troops, and a number of valuable militia officers, I sincerely lament.

The bearer, lieut. Denny, is my adjutant. It will afford me great satisfaction to know that some mark of honour will be shown to him—his long and faithful services merit it. There is a vast deal of business in this western world. If there is no impropriety in giving me an aid de camp, I wish him to be the person.

In my next dispatches I shall enter into the minutiae of business, and give a particular description of each day's march, with all the occurrences, observations, &c. &c.

I have the honour to be, sir, with perfect esteem, your most humble and obedient servant. (Signed) J. HARMAR, lieut. col. 1st U. S. reg.

N. B. My adjutant is really and truly an officer.

(Signed) J. H A R M A R.

The honourable major gen. Knox, Secretary at war.

S I R, *Fort Washington, Nov. 6, 1790.*

ON the 20th of last month, I had the honour to inform you, generally, of the success that had attended general Harmar. I could not then give you the particulars, as the general's letters had not reached me, (the officer however, who had them in charge, got in a few days afterwards); it is not now necessary, because he writes himself. One thing, however, is certain, that the savages have got a most terrible stroke, of which nothing can be a

greater proof, than that they have not attempted to harass the army on its return. They arrived at this place on the 3d instant, in good health and spirits. There is not yet any account from major Hamtramck; I trust he also has been successful; but this I think is certain, that no great misfortune can have happened to him, for in this case we should certainly have heard of it.

Mr. Denny, the gentleman who takes general Harmar's dispatches, I beg leave to mention to you in a particular manner, and if you will be pleased to do so to the president, in his favour, you may be assured he will not disappoint any expectations that may be formed. He has every quality that I could wish a young man to possess, that meant to make the army his profession. There are, however, some traits in his character as a man, that are not generally known, that would endear him; out of the little pittance he receives, he has maintained two aged parents for a long time.

I have the honour to be, with great respect, sir, your most obedient servant.

A. S. C L A I R.

The honourable major general Knox, Secretary at war.

GENERAL ORDERS.

Head quarters, Fort Washington, Nov. 4th, 1790.

THE Kentucky and Pennsylvania militia are to be mustered this afternoon at 2 o'clock, by captain Zeigler. The order and regularity which the militia observed on their return to the Ohio river was highly commendable. Upon the whole the general is exceedingly pleased with their conduct during the expedition. Notwithstanding our loss was great, yet when they reflect that the army in five weeks not only effected the capital object of destroying the Miami village and the Maumee towns, as they are generally called, with the vast quantity of corn and vegetables therein, but also killed upwards of one hundred of their warriors; it must afford every man the greatest satisfaction. The militia from Kentucke are to receive pay until the tenth inst. provisions are to be drawn for them until that time, and to-morrow morning they are to march to their respective homes. The general returns his thanks to every officer and private, for their good conduct, and hereby discharges them with honour and reputation. The wounded men are to be left under the care of doctor Allison and his mates, who will take all possible care of them. (Signed) J. HARMAR, Brig. Gen.

Return of the killed and wounded in the expedition against the Miami towns, under the command of brigadier-general Harmar.

Head quarters, Fort Washington, Nov. 4. 1790.

Federal troops.—Killed—1 major, 1 lieutenant, 73 rank and file.—Wounded—7 rank and file.

Militia.—Killed—1 major, 3 captains, 2 lieutenants, 4 ensigns, 98 rank and file.—Wounded—2 lieutenants, 1 ensign, 25 rank and file.—Total number of men killed 123.—Wounded 31.

Names of officers killed and wounded on the above expedition.

Killed—Major Wyllis and lieutenant Frothingham, of the federal troops.—Major Fontaine; captains Tharp, Scott, McMurtry; lieutenants Clark, Rogers, ensigns Sweet, Bridges, Higgins, and Thirkield, of the militia.

Wounded—Lieutenants Sanders, Wesley, and ensign Arnold, of the militia.

(Signed)

J O S. H A R M A R.

His excellency Thomas Mifflin has been elected governor of this state, by a very large majority.

Dec. 24. Yesterday, the senate of the united states passed the following resolution:—Resolved, That it would be inexpedient to alter the system for funding the public debt, established during the last session of congress, and that the petition of Thomas McKean and others, stiling themselves a committee of the public creditors of the commonwealth of Pennsylvania, cannot be granted.

The purchases of public debt made yesterday by the treasurer of the united states, were at the following rates: Funded, 6 per cents, at 18s. Deferred, 6 per cents, and 3 per cents at 9s.

M A R R I E D.

NEW HAMPSHIRE. Hon. David Sewall to miss Elizabeth Langdon. Le sieur Jean Tolcan to miss Elizabeth Parrott.

MASSACHUSETTS. Gamaliel Bradford, esq. to miss Mary Cooper. Mr. John Jenks to miss Sukey Lillie.—At Exeter. The rev. Jonathan Strong to miss Joanna Odiorne.—At Salem. Captain William Ward, to miss Nancy Chipman.

NEW-YORK. In the capital. Mr. Joseph Williams to miss Anne Fisher. Mr. Paul Hochstrasser to miss Caty Snyder. Thomas Randal, esq. to miss Sears. John Vining, esq. to miss Seton. Mr. Joseph Bogart to miss Jane Finch.—On Long Island. Eliphalet Wickes to miss M. Herriman.—In Ulster county. David Colden, esq. to miss Gertrude Wynkoop.

NEW JERSEY. In Newark. Major Jeremiah Bruen to miss Jemima Baldwin.—In New Brunswick. Mr. Thomas McDowell to mrs. Thompson.

PENNSYLVANIA. In Philadelphia. Col. Hodgdon to miss Hodge. Mr. Richard Potter to miss Miercken. Mr. William Miller, to miss Juliana Turner. Mr. Francis Lee to mrs. Beach. Captain Beck, to mrs. M'Murray.—In Philadelphia county. Mr. James Noailles to miss Margaret Gray.—At Aston. Thierrev. Eliha Rigg, to miss Jane Atlee.—At Pittsburg. Mr. John Irwin to miss Nancy Parker.—In Montgomery county. Dr. William Gardner to miss Susannah Humphreys.

MARYLAND. At Baltimore. Mr. George Moore to miss Lydia Winchler. Mr. William Forman to miss Jenny Spear. Mr. Nicholas Corbley to miss Hannah Kneafs. Mr. Seth Barton to miss Sally Maxwell. Near Baltimore. Robert Smith, esq. to miss Peggy Smith.

D I E D.

MASSACHUSETTS. At Salem. Capt. John Jones, aged 90. Mr. Peter Flood, aged 63.—At Dover. Mrs. Mercy Varney, aged 91: she left a posterity of one hundred persons.

RHODE-ISLAND. At Providence. Mr. Richard Whitehorn, aged 89.

NEW YORK. At the manor of Livingston. Robt. Livingston, esq. aged 82.

PENNSYLVANIA. In Philadelphia. Mrs. Elizabeth Bringham. Mrs. White. Mrs. Nicklin. Mr. John Davidson.

DELAWARE. At Wilmington. Mrs. Eleanor M'Knight, aged 88.—Near Birmingham meeting-house. Mary Newlin, aged 102.

MARYLAND. In Baltimore. Charles Dupond de Beaupre, esq. aged 97.

VIRGINIA. At Hopewell. On the 27th of November, mrs. Hannah Butterfield, aged above 60; and, on the 4th of Dec. mr. John Butterfield, her husband, aged above 50.—Near Alexandria. Negro Thomas Fuller, the celebrated mathematical calculator. Mr. John Summers, aged 103. He has left descendants of four generations, amounting to four hundred persons.

GEORGIA. In Richmond county. Col. Benjamin Fishbourn. At Savannah. Dr. Edward Pendleton.

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